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BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

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JUL - 7 2005
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Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, July 12, 2005 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Ammiano, Mirkarimi, Elsbernd, Ma, McGoldrick	Thursday 1:00 PM
Budget and Finance Subcommittee Supervisors Ammiano, Mirkarimi, Elsbernd	Thursday 11:00 AM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns, Delegate Wong	2nd Monday (Bi-Monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Peskin, Elsbernd, Daly	2nd and 4th Monday 1:00 PM
Land Use Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Alioto-Pier, Mirkarimi, Peskin	Wednesday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

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USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

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AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

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Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

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Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Meeting Minutes for June 7, 2005 and June 14, 2005.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 10

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Elsbernd, McGoldrick

1. 051144 **[Proposition J Contract/Sign Posting for Events for Police Department/Fiscal Emergency]**
Mayor
Resolution concurring with the Controller's certification that sign posting for various events for the Police Department can be performed by private contractor for a lower cost than similar work performed by City and County employees.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Ammiano, Mirkarimi, Elsbernd, Ma, McGoldrick

2. 051145 **[Proposition J Contract/Certification of Specified Contracted-Out Services Previously Approved]**

Mayor

Resolution concurring with the Controller's certification that services previously approved under Proposition J can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following services: central shops security and convention facilities management services (Admin Services); shuttle bus and information booth services (Airport); budget analyst (Board of Supervisors); paratransit services (Municipal Railway); citation information, coin counting and collection, janitorial and landscaping, security, and towing services (Parking & Traffic); security services (Public Works); Project S.A.F.E. (Police); janitorial and security services (Port); and jail food services (Sheriff).

Question: Shall this Resolution be ADOPTED?

3. 051147 **[Proposition J Contract/Body Removal Services For Medical Examiner's Office/Fiscal Emergency]**

Mayor

Resolution concurring with the Controller's certification that body removal services for the Medical Examiner's Office, Department of Administrative Services can be performed by private contractor for a lower cost than similar work performed by City and County employees.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Elsbernd, Daly

4. 051096 **[Extension of as-needed architectural services agreements for various public work projects]**

Ordinance approving extension of As-Needed Architectural Services agreements with (1) Joe Chow & Associates for completion of the San Francisco General Hospital SwissRay Digital Chest Installation Project (Specification No. 6299A), the San Francisco General Hospital Orthopedic Room Renovation 3M (Specification No. 6288A), the San Francisco General Hospital 1x65 Radiology Department Remodel (Specification No. 6377A), the San Francisco General Hospital TBI Bathroom Remodel 4B (Specification No. 6246A), (2) Carey & Co., for completion of the Tom Waddell Health Center Elevator Replacement (Specification No. 6126A), and (3) Levy Design for the completion of the Coffman Pool Reconstruction Project (Specification No. 6214A), under Administrative Code Chapter 6, section 6.64.

(Public Works Department)

6/28/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Peskin

5. 051094 **[Settlement of Lawsuit- Larry Saxxon]**
Ordinance authorizing settlement of the lawsuit filed by Larry Saxxon against the City and County of San Francisco for $500,000.00; the lawsuit was filed on December 5, 2003 in the San Francisco Superior Court, Case No. 427029; entitled Larry Saxxon v. City and County of San Francisco, et al.
(City Attorney)

6/28/2005, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

6. 051099 **[Authorizing Payment of Attorney's Fees and Costs After Appeal]**
Ordinance authorizing the payment of $37,240.25 in attorney's fees and costs after the appeal in the lawsuit filed by John Baba, Philip Brady, Sergio Iantorno, John Zanghi, and Arnold W. Evje, II, against the Board of Supervisors of the City and County of San Francisco, the Residential Rent Stabilization and Arbitration Board of the City of the City and County of San Francisco, and the City and County of San Francisco. The lawsuit was filed on August 30, 2002, and the motion for attorney's fees and costs on appeal was filed on May 9, 2005, in San Francisco Superior Court (Case No. CPF-02-501589).
(City Attorney)

6/28/2005, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

7. 051100 **[Settlement of Lawsuit - Francine Davis]**
Ordinance authorizing settlement of the lawsuit filed by Francine Davis against the City and County of San Francisco for $170,000; the lawsuit was filed on May 28, 2004 in San Francisco Superior Court, Case No. 431-854; entitled Francine Davis, et al., v. City and County of San Francisco, et al.
(City Attorney)

6/28/2005, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

8. 051101 **[Settlement of Lawsuit - San Francisco Unified School District]**
Ordinance authorizing settlement of the lawsuit filed by the San Francisco Unified School District against the City and County of San Francisco by provision of credits and rate reductions not to exceed $225,000 on past sewer service and future sewer and water service, for FY 2004-06; the lawsuit was filed on November 12, 2004 in San Francisco Superior Court, Case No. 436-240; entitled San Francisco Unified School District, et al., v. City and County of San Francisco, et al.
(City Attorney)

6/28/2005, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

9. 051102 [Settlement of Lawsuit - Linda Alband]

Ordinance authorizing settlement of the lawsuit filed by Linda Alband against the City and County of San Francisco for $35,000; the lawsuit was filed on May 11, 2004 in San Francisco Superior, Case No. 431-258; entitled Linda Alband, et al., v. City and County of San Francisco, et al.
(City Attorney)

6/28/2005, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10. 051103 [Settlement of Lawsuit - Transamerica Life Insurance Company, Transamerica Insurance Company of California, and Aegon U.S.A. Realty Advisors, Inc.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Transamerica Life Insurance Company, Transamerica Insurance Company of California, and Aegon U.S.A. Realty Advisors, Inc. for $121,957.36; the lawsuit was filed on March 11, 2005 in the Superior Court of the State of California, County of San Francisco, Case No. 439452; entitled City and County of San Francisco, et al., v. Transamerica Life Insurance Company, et al.
(City Attorney)

6/28/2005, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

11. 050602 **[Recreation and Park - S.F. Small Craft Harbor Fees]**
Supervisor Alioto-Pier
Ordinance making environmental findings and amending the San Francisco Park Code by repealing Section 12.11 and adopting a new Section 12.11 to increase current fees and add additional rental and services fees at the San Francisco Small Craft Harbor.

6/28/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd, Ma, McGoldrick

12. 050968 **[Annual Budget, FY 2005-06]**
Motion approving Annual Budget for the City and County of San Francisco for Fiscal Year 2005-2006.
(Clerk of the Board)
(Supervisors Mirkarimi and McGoldrick Dissenting in Committee)

(Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2005 nor later than August 1, 2005.)

Question: Shall this Motion be APPROVED?

13. 051130 **[Government Funding, Fiscal Year 2005-2006]**
Mayor
Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2006.
(Fiscal impact.)
(Supervisor McGoldrick Dissenting in Committee)
(Supervisor Mirkarimi Dissenting in Committee on the Annual Appropriation Ordinance for Selected Departments)

Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2005 nor later than August 1, 2005.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 051131 **[Public Employment, Fiscal Year 2005-2006]**
Mayor
Consolidated Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2006, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.
(Fiscal impact.)

(Charter Section 9.100 provides the Board shall not adopt the Budget earlier than July 15, 2005 nor later than August 1, 2005.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Mirkarimi, Elsbernd, Ma

15. 050995 **[Redevelopment Agency Budget and Bonds]**

Mayor

Resolution approving the Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2005-2006; and approving the Issuance by the Agency of Bonds in an aggregate principal amount not to exceed $118,000,000 for the purpose of financing a portion of Redevelopment activities as described in such approved Budget for fiscal year 2005-2006.

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Ammiano, Mirkarimi, Elsbernd, Ma, McGoldrick

16. 050997 **[Treasure Island Development Authority Budget]**

Mayor

Resolution approving the Budget of the Treasure Island Development Authority for fiscal year 2005-2006.

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

17. 050983 **[Clarifying that the Bureau of Delinquent Revenue is authorized to add costs incurred in collecting money owed to the city to the original charge and to collect those costs from the debtor]**

Mayor

Ordinance amending Chapter 10, Article V of the San Francisco Administrative Code by amending Section 10.41-1 to authorize the Bureau of Delinquent Revenue Collection to collect costs incurred in collecting claims for money owed to the City, to add those costs to the original charge and to collect those costs from the debtor.

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. 050984 **[Increasing fees for certain services provided by the Medical Examiner]**

Mayor

Ordinance making environmental findings, and amending San Francisco Administrative Code Section 8.14, to increase the fees for forensic non-medical examiner or outside county autopsy, disaster bags, removal of remains, and storage of remains.

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 050985 **[Patient Rates]**

Mayor

Ordinance amending Section 128 of the San Francisco Health Code to set patient rates and other services provided by the Department of Public Health, effective July 1, 2005.

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 050986 [Public Works Code occupancy assessment fees for various encroachments]

Mayor

Ordinance amending the Public Works Code to amend Section 723.2 to adopt a public right-of-way occupancy assessment fee for minor sidewalk encroachments, to amend Section 724.1 to modify the public right-of-way occupancy assessment fee for temporary street occupancy permits; and to add Section 786.7 to adopt a public right-of-way occupancy assessment fee for street encroachments; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. 050987 [Golf Fees - Harding Park, Golden Gate Park, McLaren Park]

Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by amending Sec. 12.12 to increase the fees at Harding Park and Fleming Golf Courses; amending Sec. 12.16 to increase the fees at Golden Gate Park Golf Course; amending Sec. 12.20 to authorize an annual cost of living increase in golf fees; and amending Sec. 12.33 to set a maximum fee for golf cart rentals.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Ammiano, Elsbernd, Ma, McGoldrick

22. 050989 [Recreation and Park – Tiny Tots Fees]

Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding Section 12.35 to standardize the Department's Tiny Tot/Child Development Program's curriculum and associated fee schedule.

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. 050990 [Recreation and Park Department – Athletic Field Permit Fees for Adults]

Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding Section 12.36 to increase the fees for use of the athletic fields by adults.

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 050991 [Recreation and Park – Aquatic Fees]

Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding Section 12.34 establishing the fee structure for use of aquatic facilities and for related aquatic activities.

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. 050992 [Lake Merced Fees – Boat Storage]

Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding San Francisco Park Code Section 12.38 to establish boat storage fees.

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 050999 [Arts Commission Special Funds]

Mayor

Ordinance amending Article XIII of the San Francisco Administrative Code by amending Sections 10.100-28, 10.100-30 and 10.100-34 to redesignate the Arts Commission Market Street Art Maintenance Fund and the Arts Commission Youth Arts Fund as sub-accounts of the Arts Commission Public Arts Fund.

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. 051000 [Board of Appeals Surcharge]

Mayor

Ordinance (1) amending Section 10G.1 of the San Francisco Administrative Code to add a Board of Appeals surcharge for tobacco retailer's permits issued pursuant to San Francisco Health Code Section 1009.53, (2) amending Section 10G.1 to adjust the surcharges for permits and annual license renewals issued pursuant to San Francisco Police Code Sections 2.26, 2.27 and 2.27.1, and (3) making findings pursuant to the California Environmental Quality Act, Public Resources Code Section 21080(b)(8)(A), that the new Board of Appeals Surcharge and adjustments to existing Board of Appeals surcharges are not a "project" and that such surcharges are imposed for the purpose of meeting operating expenses of the Board of Appeals, including employee wage rates, fringe benefits and other direct and indirect overhead charges attributable to administrative appeals to the Board of Appeals pursuant to Charter Section 4.106.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Ammiano, Elsbernd, McGoldrick

28. 050993 **[Providing for waiver of fees and changing fees for Emergency Medical Services and making environmental findings]**

Mayor

Ordinance amending Article 3 of the Health Code by adding Section 120.1 to require the San Francisco Fire Department to waive fees for Emergency Medical Services upon a showing that all persons legally obligated to pay have insufficient income to pay the bill without undue hardship and the patient is not covered by insurance; and amending Section 128.1, to create a fee for providing service to a patient without transporting the patient, to increase the base rate fees for both Basic Life Service and Advanced Life Service, to increase the fee for mileage, to eliminate the fee for night service, to substitute a flat fee for supplemental supplies in place of fees for individual supplies used to treat each patient, to amend the language regarding changes in fees in subsequent years to fix typographical errors, to eliminate the provision by which the San Francisco Fire Department could add charges for additional supplies, and to make environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

29. 050994 [Increasing Fire Department Fees For Service]

Mayor

Ordinance amending Sections 106.8, 106.9, 106.11, 106.15, 106. 17, and Table 10GB of the San Francisco Fire Code to increase the San Francisco Fire Department's fees for high rise inspection, plan review, pre-application plan review, overtime, and water flow requests, to become operative on its effective date or on July 1, 2005 whichever is later, and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Ammiano, Mirkarimi, Elsbernd, Ma, McGoldrick

30. 051001 [Making Environmental Findings and Establishing the Community Courts Program and Administrative Fee]

Mayor

Ordinance making required environmental findings; amending section 10.100-95 of the Administrative Code to provide that monies collected from participants in the Community Court Program to settle disputes or dismiss charges be deposited in the Mayor's Community Support Fund and make other technical amendments; amending section 10.100-295 of the Administrative Code to designate the Mayor's Office of Criminal Justice as administrator of the Dispute Resolution Program and Fund and to designate the Mayor's Office of Criminal Justice and the District Attorney's Office as administrators of the Community Courts Program; and to add section 10.183 to the Administrative Code to establish and authorize the District Attorney to collect a Community Court Program Administrative Fee to recover the City's costs for the District Attorney to participate in the operation of the Community Courts Program.

Question: Shall this Ordinance be PASSED ON FIRST READING?

31. 051002 [Establishing Mayor's Office on Disability administrative fees for plan reviews and site inspections]

Mayor

Ordinance making environmental findings and amending the San Francisco Administrative Code by adding a new section 2A.22.1 establishing Mayor's Office on Disability administrative fees for plan reviews and site inspections.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Ammiano, Mirkarimi, Elsbernd, McGoldrick

32. 051003 [Repeal of exemption from paying tow and storage fees on stolen vehicles, and waiver of an administrative fee for recovered stolen vehicles owned by residents]

Mayor

Ordinance repealing San Francisco Administrative Code Section 10C.8-1, which exempts residents of San Francisco from paying tow and storage fees on stolen vehicles, and amending San Francisco Administrative Code Section 10C.1 and San Francisco Traffic Code Section 170.1 to exempt City residents from payment of an administrative fee in connection with the towing and storage of stolen vehicles.

Question: Shall this Ordinance be PASSED ON FIRST READING?

33. 051004 **[Recovery of the City's costs of emergency response to incidents resulting from the negligent operation of a motor vehicle, boat or vessel by a person under the influence of alcohol or drugs]**

Mayor, Supervisors Ma, Mirkarimi

Ordinance adding Chapter 10H to the San Francisco Administrative Code authorizing the City to recover the costs of emergency response to incidents resulting from negligent operation of motor vehicles, boats or vessels by persons under the influence of alcohol or drugs, and the costs of emergency response to incidents caused by individuals' intentionally wrongful conduct; defining emergency response for the purpose of this chapter; providing for the establishment by ordinance of the standard, hourly charges for personnel and equipment used in emergency response to such incidents; and directing the Police Department, Fire Department and the Health Department to coordinate with designated City officials to prepare and deliver invoices to the persons responsible for the costs of the City's emergency response to such incidents.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Ammiano, Mirkarimi, Elsbernd, Ma, McGoldrick

34. 050917 **[Planning Department fee increases and permit surcharge to cover costs of appeals to the Board of Supervisors]**

Supervisor Peskin

Ordinance amending the San Francisco Planning Code by amending Sections 352 and 355 and by amending the San Francisco Administrative Code by amending Section 31.22 to increase planning fees and add a surcharge to compensate the City for the costs of appeals to the Board of Supervisors; making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

35. 051027 **[Entertainment Commission Permits, Licenses and Fees]**

Mayor

Ordinance (1) amending the San Francisco Police Code by amending Sections 2.2, 2.9, 2.25, 2.26, 2.27, 2.31, 43, 43.2, 48 1037.2, and adding Sections 1060.1-1 and 1070.1-1, to (i) increase the application fees for Place of Entertainment permits and permits for Extended Hours Premises, and the annual license fees for Places of Entertainment and Mechanical Amusement Devices, to defray the City's annual costs of Entertainment Commission operations attributable to such permitted businesses, (ii) eliminate distinctions between commercial and non-commercial uses for purposes of loudspeaker permits (iii) and to make technical amendments and corrections, as specified; (2) amending the San Francisco Business and Tax Regulations Code by amending Sections 1.1, 1.2, 1.3, 1.51, 8, and 23, and adding Sections 249.17, 249.18, and 249.19, to make technical amendments and corrections in conformity with the amendments to the Police Code; and (3) making findings pursuant to the California Environmental Quality Act, Public Resources Code Section 21080(b)(8)(A), that the adjustments to the fees are not a "project" and that such fees are imposed for the purpose of meeting operating expenses of the Entertainment Commission and Police Department, including employee wage rates, fringe benefits and other direct and indirect overhead charges attributable to such entertainment-related permits and annual licenses.

Question: Shall this Ordinance be PASSED ON FIRST READING?

36. **051133** **[Repealing Revolving Fund for Commission on the Status of Women]**

Mayor

Ordinance amending the Administrative Code by repealing section 10.169-11 to eliminate the Commission on the Status of Women's revolving fund.

Question: Shall this Ordinance be PASSED ON FIRST READING?

37. **051135** **[Requiring City departments to report to the Board of Supervisors each quarter on those appropriations items where the department is spending at a rate that would exhaust the appropriation before the end of the fiscal year]**

Mayor

Ordinance amending the San Francisco Administrative Code by adding Section 10.19-5, to require City departments to report to the Board of Supervisors each quarter on those appropriations items where the department is spending at a rate that would exhaust the appropriation before the end of the fiscal year.

Question: Shall this Ordinance be PASSED ON FIRST READING?

38. **051136** **[Establishing the San Francisco City Services Preservation Fund to receive donations from employees and private donors in order to offset the City's deficit and preserve City services]**

Mayor

Ordinance amending the San Francisco Administrative Code by adding Section 10.100-290, to establish the San Francisco City Services Preservation Fund to receive donations from employees and private donors in order to offset the City's deficit and preserve City services.

Question: Shall this Ordinance be PASSED ON FIRST READING?

39. **051137** **[Prohibiting the Department of Human Services from requiring fingerprint imaging of clients, unless required by grant programs, by state or federal law, by voter initiative, or by the County Adult Assistance Programs]**

Mayor

Ordinance amending the San Francisco Aministrative Code by adding Section 20.30, to prohibit the Department of Human Services from requiring fingerprint imaging of clients, unless required by grant programs, by state or federal law, by voter initiative, or by the County Adult Assistance Programs.

Question: Shall this Ordinance be PASSED ON FIRST READING?

40. **051138** **[Authorizing department heads to accept and expend donations from recognized non-profit organizations for specified improvements to City-owned recreation, library, cultural or health facilities]**

Mayor

Ordinance amending the San Francisco Administrative Code by adding Section 10.88, to authorize department heads to accept and expend donations from recognized non-profit organizations to augment approved seismic upgrading, provide equipment, facility improvements or expansion and/or modification of City-owned recreation, library, cultural or health facilities.

Question: Shall this Ordinance be PASSED ON FIRST READING?

41. 051139 **[Authorizing the Sheriff and Police Departments to implement a booking fee and seek State reimbursement; providing for cost recovery]**
Mayor
Ordinance amending the San Francisco Administrative Code by adding Section 8.27-1, to authorize the Sheriff and Police Departments to implement a booking fee and seek State reimbursement and to direct the Controller to provide for full cost recovery between the departments.

Question: Shall this Ordinance be PASSED ON FIRST READING?

42. 051148 **[Public Education Enrichment Fund]**
Supervisor Ammiano
Resolution approving the San Francisco Unified School District and the First Five Commission's expenditure plans for the Public Education Enrichment Fund.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Mirkarimi

43. 051030 **[Single Standard of Mental Health Access and Care]**
Supervisors Daly, Peskin
Ordinance adding Section 15.23 to the Administrative Code to provide for single standard of mental health services access and care for indigent and uninsured San Francisco residents and residents who are Medi-Cal beneficiaries.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate. In accordance therewith consideration of the proposed Charter amendment appropriately may be continued at least one week.)

44. 050918 **[Charter Amendment - Requiring that one-time revenues be spent only for one-time uses, unless otherwise authorized by the Board of Supervisors]**
Supervisor Elsbernd
Charter Amendment (Second Draft) to add Section 9.120 to require that one-time revenues be spent only for one-time uses, unless the Board of Supervisors appropriates the revenues for another purpose by a two-thirds' vote.

Question: Shall this Charter Amendment be SUBMITTED?

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

45. 050830 [Zoning – Allow Tourist Hotels of 75 Rooms or Less in the SSO District as conditional uses]
Supervisor Daly
Ordinance amending the San Francisco Planning Code by amending Sections 803.4 and 818, and adding Section 818.78 to Table 818 to allow a tourist hotel of 75 rooms or less as a conditional use in the SSO (Service/Secondary Office District); adopting findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Maxwell, McGoldrick

46. 050254 [Amending Planning Code Sec 703.3 to designate formula retail uses as a conditional use in the Small-Scale NCD along Divisadero from Haight to Turk Streets]
Supervisor Mirkarimi
Ordinance to amend the Planning Code by amending section 703.3 to designate formula retail uses as a conditional use in the Small-Scale Neighborhood Commercial District along Divisadero Street from Haight to Turk Streets and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Question: Shall this Ordinance be PASSED ON FIRST READING?

47. 051031 [Requiring additional reporting and recordkeeping by residential hotels and authorizing additional inspections]
Supervisor Daly
Ordinance amending the San Francisco Administrative Code by amending Section 41.9, to require additional reporting and recordkeeping by residential hotels and establishing additional inspection authority to ensure compliance with California Civil Code Section 1940.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

48. 050936 [Interdepartmental jurisdictional transfer of Hayes Green Park]
Mayor, Supervisor Mirkarimi
Resolution transferring jurisdiction over Hayes Green Park, located on Octavia Boulevard, between Hayes Street and Fell Street, from the Department of Public Works to the Recreation and Park Department for park and open space uses; adopting Findings pursuant to California Environmental Quality Act; and adopting Findings that the transfer of jurisdiction is consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1.

Question: Shall this Resolution be ADOPTED?

From the Land Use Committee Without Recommendation

Present: Supervisors Maxwell, Sandoval, McGoldrick

49. 051113 **[Urging Support of the Permanent Berthing of the U.S.S. Iowa as a Museum at the Port of San Francisco]**

Supervisors Ma, Elsbernd, Alioto-Pier

Resolution urging the San Francisco Congressional delegation to support the permanent berthing of the U.S.S. Iowa as a Museum at the Port of San Francisco.

(Supervisor McGoldrick Dissenting in Committee)

6/14/2005, REFERRED to Land Use Committee. Supervisor Ammiano requested that this matter be severed so that it might be referred to committee.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

50. **051277** **[Hearing - Designating rent credits as "public monies" for purposes of Fiscal Feasibility Ordinance]**

Supervisor Peskin

Hearing of persons interested in or objecting to proposed ordinance amending the San Francisco Administrative Code by amending Sections 29.1, 29.3, and 29.7, to: include rent credits as "public monies" for purposes of the Fiscal Feasibility Ordinance; require additional information from applicants for environmental review; suspend application to certain projects undergoing environmental review, and, bar City departments from extending current Exclusive Right to Negotiate agreements until fiscal feasibility review has been successfully completed.
(Clerk of the Board)

Action:_____

Committee of the Whole Adjourn and Report Without Recommendation

51. **050817** **[Designating rent credits as "public monies" for purposes of Fiscal Feasibility Ordinance.]**

Supervisors Peskin, Maxwell, Alioto-Pier, Mirkarimi

Ordinance amending the San Francisco Administrative Code by amending Sections 29.1, 29.3, and 29.7, to: include rent credits as "public monies" for purposes of the Fiscal Feasibility Ordinance; require additional information from applicants for environmental review; suspend application to certain projects undergoing environmental review, and, bar City departments from extending current Exclusive Right to Negotiate agreements until fiscal feasibility review has been successfully completed.

6/21/2005, PASSED ON FIRST READING.

6/28/2005, AMENDED.

6/28/2005, PASSED ON FIRST READING AS AMENDED. July 1, 2005 Amendment of the whole bearing new title. This matter will be considered at the July 12, 2005 with the Board Sitting as a Committee of the Whole.

Question: Shall this Ordinance be FINALLY PASSED?

SPECIAL ORDER 3:00 P.M

52. 051230 **[Hearing - Ground Lease of Redevelopment Agency Land for Parkview Terraces Senior Housing (871-881 Turk Street)]**

Supervisor Peskin

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 761, Lot 29, commonly known as 871-881 Turk Street, southeast corner of Turk and Gough Streets, San Francisco, California (the "Site") in the Western Addition A-2 Redevelopment Project Area, to PARKVIEW TERRACE PARTNERS, L.P., a California limited partnership, for 6O years for the purpose of developing housing for very low-income senior households.
(Clerk of the Board)

Action:_____

53. 051164 **[Ground Lease of Redevelopment Agency Land for Parkview Terraces Senior Housing (871-881 Turk Street)]**

Supervisor Daly

Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 761, Lot 29, commonly known as 871-881 Turk Street, southeast corner of Turk and Gough Streets, San Francisco, California (the "Site") in the Western Addition A-2 Redevelopment Project Area, to PARKVIEW TERRACE PARTNERS, L.P., a California limited partnership, for 60 years for the purpose of developing housing for very low-income senior households.

6/21/2005, CONTINUED. Continued to July 12, 2005 with the Board Sitting as a Committee of the Whole.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

54. **050956** **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 1740 20th Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 22, 2005 (Case No. 2003.0960E), exempting from environmental review under State CEQA Guidelines, Sections 15301(a), 15301(e)(2), and 4(b), Class Numbers 1(a), 1(e)(2), and 4(b). The proposed project includes a vertical L-shaped addition, and a horizontal addition to a single-family residence. The new addition would add 1,346-gross-square-feet to an existing 2,202-gsf, approximately 12-foot tall single-family residence. There is currently one off-street parking space on the project site. The proposed project would add one additional off-street parking space. The addition would be 23-feet tall at its highest point. The 5,000-square-foot project site is located at 1740 20th Street, northeast corner of 20th and Wisconsin Streets on Assessor's Block 4069, Lot 018. The project site is within an RH-2 (Residential, House, Two-Family) zoning district and a 40-X height and bulk district. (Appellant: Vincent Marsh on behalf of Bob Siska, property owner.)

(Filed May 20, 2005; companion measure to Files 050957, 050958, 050959; District 10.)

6/28/2005, CONTINUED. Continued to July 12, 2005 as a Special Order at 4:00 p.m.

Action:_____

(Only one of the following two motions should be adopted.)

55. **050957** **[Affirming the categorical exemption issued for 1740 20th Street]**

Motion affirming the determination by the Planning Department that the 1740 20th Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

6/28/2005, CONTINUED. Continued to July 12, 2005 as a Special Order at 4:00 p.m.

Question: Shall this Motion be APPROVED?

56. **050958** **[Disapproving the categorical exemption issued for 1740 20th Street]**

Motion disapproving the determination by the Planning Department that the 1740 20th Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

6/28/2005, CONTINUED. Continued to July 12, 2005 as a Special Order at 4:00 p.m.

Question: Shall this Motion be APPROVED?

57. 050959 **[Preparation of findings related to the categorical exemption issued for 1740 20th Street]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 1740 20th Street Project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

6/28/2005, CONTINUED. Continued to July 12, 2005 as a Special Order at 4:00 p.m.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:30 PM.

58. **051053** **[Public Hearing - Appeal of Minor Sidewalk Encroachment Permit for 149 Fair Oaks Street]**
Hearing of persons interested in or objecting to the decision of the Department of Public Works by its decision dated May 25, 2005, denying a Minor Sidewalk Encroachment Permit No. O5MSE-261 for the construction of 15'-0" long x 3'-0" wide planter box and enclosure, leaving an 8'-8" clear pathway along the public sidewalk right-of-way fronting the property at 149 Fair Oaks Street. (Sherri Maurin.)
(Filed June 7, 2005; companion measure to Files 051063, 051063, District 8.)

6/28/2005, CONTINUED. Continued to July 12, 2005 as a Special Order at 4:30 p.m.
Action:_____

(Only one of the following two motions should be adopted.)

59. **051055** **[Affirming Minor Sidewalk Encroachment Appeal - 149 Fair Oaks Street]**
Motion affirming the Department of Public Works' denial of an Encroachment Permit for 149 Fair Oaks Street and denying an Encroachment Permit.
(Clerk of the Board)

6/28/2005, CONTINUED. Continued to July 12, 2005 as a Special Order at 4:30 p.m.
Question: Shall this Motion be APPROVED?

60. **051054** **[Disapproving Minor Sidewalk Encroachment Appeal - 149 Fair Oaks Street]**
Motion disapproving the decision of the Department of Public Works' denial of an Encroachment Permit for 149 Fair Oaks Street and granting an Encroachment Permit.
(Clerk of the Board)

6/28/2005, CONTINUED. Continued to July 12, 2005 as a Special Order at 4:30 p.m.
Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item was considered by the Budget and Finance Sub-Committee at a Regular Meeting on Thursday, July 7, 2005 at 11:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, July 12, 2005.

61. 050932 **[Street Resurfacing, Pedestrian Safety and Access Improvement Bond Special Election]**
Supervisors Ammiano, Peskin

Ordinance calling and providing for a special election to be held in the City and County of San Francisco (the "City") on Tuesday, November 8, 2005, for the purpose of submitting to the voters of the City a proposition to incur the following bonded debt of the City: Two Hundred and Eight Million Dollars ($208,000,000) to finance street reconstruction, pavement renovation, disabled access curb ramp construction, sidewalk and street improvements, street structure rehabilitation and improvements, pedestrian safety street and signal improvements, street improvements for bicycle use and all other structures and improvements necessary or convenient for the foregoing purposes; finding that the estimated costs of such proposed projects are and will be too great to be paid out of the ordinary annual income and revenue of the City and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot questions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; and incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following items were considered by the Rules Committee at a Special Meeting on Thursday, July 7, 2005 and Friday, July 8, 2005 at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, July 12, 2005.

(Pursuant to the provisions of Rule 2.28.7 of the Board's Rules of Order, at least six days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from committee and any Board order of submission to the electorate. In accordance therewith consideration of the proposed Charter amendments appropriately may be continued at least one week.)

62. 031567 [Charter Amendment - Establishing an Emergency Health Care Services Fund and baseline funding for the Fund]

Supervisor Daly

Charter Amendment (Fourth Draft) to add Section 16.126 to increase the fiscal authority of the Health Commission and establish a stable baseline funding level for the Department of Public Health to ensure the continued operation of San Francisco public health services.

9/23/2003, SUBSTITUTED to Board of Supervisors. Supervisor Daly submitted a substitute Charter amendment bearing new title.

11/4/2003, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Supervisor Daly, seconded by Supervisor Ammiano, moved an amendment of the whole. (Third Draft)

11/4/2003, CONTINUED AS AMENDED. Continued to November 18, 2003 with the Board Sitting as a Committee of the Whole.

11/18/2003, RE-REFERRED.

Question: Shall this Charter Amendment be SUBMITTED?

63. 050492 [Charter Amendment - Authorizing Board of Supervisors to meet by teleconferencing during state of emergency; requiring Board to post various notices on its website and eliminating requirement that the Board publish those notices in the newspaper]

Supervisors Ma, McGoldrick

Charter Amendment (Third Draft) to amend Section 2.103 to allow the Board of Supervisors to meet by teleconferencing or other electronic means during a state of emergency, and by amending Sections 2.103, 2.108, 2.117, 16.112, and Article XVII, to: (1) require that City departments, including the Board of Supervisors, to post various notices on the departments' websites and eliminate the requirement that the departments publish such notices in the City's official newspaper; and (2) assign individual section numbers to the definitions contained in Article XVII.

Question: Shall this Charter Amendment be SUBMITTED?

64. 050818 [Charter Amendment - Dividing appointments to the Municipal Transportation Agency's Board of Directors between the Mayor and the Board of Supervisors]

Supervisor Ammiano

Charter amendment (Third Draft) to amend Section 8A.102, to divide appointments to the Municipal Transportation Agency's Board of Directors between the Mayor and the Board of Supervisors.

Question: Shall this Charter Amendment be SUBMITTED?

65. 050925 [Charter Amendment - Minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records laws]

Supervisor Alioto-Pier

Charter Amendment (Second Draft) to add Section 15.104 to create minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records laws.

Question: Shall this Charter Amendment be SUBMITTED?

66. 050926 **[Charter Amendment - Neighborhood Beautification Initiative]**

Supervisor Alioto-Pier

Charter Amendment (Third Draft) to add Section 8A.114 to provide that the Board of Supervisors may create "Neighborhood Beautification Districts" by ordinance, require the operation of parking meters on Sundays in specified Neighborhood Beautification Districts, and require that all revenue raised from the Sunday operation and enforcement of parking meters in a Neighborhood Beautification District, less any operational costs for enforcement, be used for pedestrian, street, and neighborhood improvements related to traffic regulation, safety and control in that district.

(Fiscal impact.)

Question: Shall this Charter Amendment be SUBMITTED?

67. 050927 **[Charter Amendment - Imposing term limits for members of City boards and commissions; limiting hold-over appointments]**

Supervisor Peskin

Charter Amendment (Third Draft) to add Section 4.101.5 to impose term limits for members of City boards and commissions and to limit hold-over appointments.

Question: Shall this Charter Amendment be SUBMITTED?

68. 050928 **[Charter Amendment - Ethics Commission Charter Amendment]**

Supervisor Mirkarimi

Charter Amendment (Second Draft) to amend Section C3.699-14 to establish a budget process for the Ethics Commission and add Section C3.99.15 to authorize the hiring of outside counsel for specified conflicts.

(Fiscal impact.)

Question: Shall this Charter Amendment be SUBMITTED?

69. 050929 **[Charter Amendment - MTA budget to be accountable to Mayor and Board of Supervisors; shared jurisdiction; compliance with voter-approved ordinances; Controller to administer MTA quality review]**

Supervisor Sandoval

Charter Amendment (Second Draft) to amend Sections 8A.102, 8A.106, and 8A.107, to provide that: the Municipal Transportation Agency's budget shall be subject to the City's normal budget process; the Municipal Transportation Agency shall be subject to regulation by the Board of Supervisors; the Municipal Transportation Agency must comply with voter-approved ordinances; and, the Controller, rather than the Agency, shall administer the biennial municipal transportation quality review survey and study.

Question: Shall this Charter Amendment be SUBMITTED?

70. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

71. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

72. 051259 [Legislative Analyst Request - Rent Boards]

Supervisor Sandoval

Motion requesting the Legislative Analyst to survey other major cities such as Berkeley to find out details about their Rent Boards or equivalent agencies. Among other issues, the report should detail who has appointing authority for board members and what the ratios between tenant and landlord representatives are on the boards.

Question: Shall this Motion be APPROVED?

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 73 through 87

73. 051215 [Urging State Legislators to Permit Person 16 Years of Age or Older to Vote in City or County Elections]

Supervisors Mirkarimi, McGoldrick, Ammiano, Daly

Resolution urging the California Legislature to pass a bill that will allow local choice legislation, for which any city or county could permit persons 16 years or older to vote in city or county elections.

6/21/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

6/28/2005, CONTINUED. Continued to July 12, 2005

Question: Shall this Resolution be ADOPTED?

74. 051221 **[Community Benefit Districts]**

Supervisor Peskin

Resolution authorizing the Mayor to cast assessment ballots on behalf of the City and County of San Francisco as the owner of parcels of real property that are subject to assessment, except for parcels under the exclusive jurisdiction of the Port Commission or Municipal Transportation Agency, in the following proposed property and business improvement districts: Fisherman's Wharf Community Benefit District, North of Market/Tenderloin Community Benefit District, Noe Valley Community Benefit District and Castro/Upper Market Community Benefit District.

7/6/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

75. 051249 **[Request Full Reimbursement by the State for Statewide Special Election]**

Supervisors Elsbernd, Ammiano, Dufty

Resolution urging the State of California to fully reimburse all California counties for the associated costs of the special election in November 2005.

6/28/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

76. 051252 **[Recognizing July 2005 as Recreation and Parks Month]**

Supervisor Ma

Resolution recognizing July 2005 as "Recreation and Parks Month" in the City and County of San Francisco.

6/28/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

77. 051253 **[Recognizing the 8th Anniversary of the San Francisco Immigrant Rights Commission]**

Supervisors Ma, Dufty

Resolution recognizing the 8th anniversary of the San Francisco Immigrant Rights Commission.

6/28/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

78. 051261 **[Zoning - Extension of Planning Commission Review Period]**

Supervisor Alioto-Pier

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code section 260 to increase the height exemption for elevator penthouses from 10 to 16 feet.

6/28/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

79. 051262 [Arts Task Force Recommendations]

Supervisor Ammiano

Resolution adopting a policy that no action shall be taken to change the City's Hotel Tax allocation language regarding the process by which hotel tax revenues are distributed to City agencies that support and serve arts organizations and artists in San Francisco until the Arts Advisory Task Force has undertaken and completed the purposes and duties as set forth in Board of Supervisors resolution No. 781-04 and has submitted its final written recommendations to the Mayor and Board of Supervisors.

6/28/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

80. 051263 [Planning grant for the use of Prop 63, Mental Health Services Act, funding]

Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a new grant in the amount of $207,487 from the California Department of Mental Health (CDMH) for community program planning as part of the Prop 63, Mental Health Services Act funding, and to enter into an agreement for the use of these funds; for the period of January 1, 2005, through September 30, 2005.

6/28/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

81. 051264 [Senate Bill 861 - Dangerous and vicious dogs]

Supervisor Dufty

Resolution endorsing Senate Bill 861, introduced by Senator Jackie Speier, and urging the California State Legislature and the Governor of California to support this bill.

6/28/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

82. 051265 [Urging the CPUC and the State Legislature to take steps to prevent the PG&E Company from engaging in competitive practices as the CCSF moves to implement Community Choice Aggregation]

Supervisor Sandoval

Resolution urging the California Public Utilities Commission and the State Legislature to take steps to prevent the Pacific Gas & Electric Company from engaging in competitive practices as the City and County of San Francisco moves to implement Community Choice Aggregation.

6/28/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

83. 051266 **[Training grant to promote and advance cultural competency in Departmental programs]**
Supervisors Ma, Dufty
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a new grant in the amount of $121,047 from The California Endowment for training to advance cultural competency, and to enter into an agreement for the use of these funds; for the period of April 1, 2005, to March 31, 2006.

6/28/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

84. 051267 **[Organic Certified Goods]**
Mayor, Supervisors Ammiano, Mirkarimi
Resolution establishing City policy of maximizing purchase of Organic Certified materials when procuring necessary goods for the city.

6/28/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

85. 051268 **[Fair Trade Certified Goods]**
Mayor, Supervisors Ammiano, Mirkarimi
Resolution establishing City policy of maximizing purchase of Fair Trade Certified materials when procuring necessary goods for the City.

6/28/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

86. 051217 **[Final Map of 1001 Mariposa Street]**
Motion approving Final Map of 1001 Mariposa Street, A Live/Work Condominium Project, being a subdivision of Lot 26 in Assessor's Block No. 4000, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 175,478; District 10.)

6/22/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

87. 051251 **[Needle Exchange Emergency]**
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

6/28/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

88. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from June 21, 2005 through July 1, 2005, for reference by President to appropriate committee on July 12, 2005.

051220 **[Parking Fine Penalty Schedule]**
Ordinance amending San Francisco Traffic Code section 132 to reference the correct California Vehicle Code subsection for covering a license plate.
(Parking and Traffic Department)

6/27/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from June 21, 2005 through July 1, 2005, for reference by President to appropriate committee on July 12, 2005.

051186 **[STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Bocana Street, Wool Street and Powhattan Avenue, installing STOP signs at the Bocana Street, Wool Street and Powhattan Avenue approaches, making this a Three-Way STOP;
Peter Yorke Way and Post Street, stopping Peter Yorke Way at Post Street;
21st and Hampshire Streets, stopping 21st Street at Hampshire Street, making this intersection an All-Way STOP;
Boylston and Sweeny Streets, stopping Boylston Street at Sweeny Street, making this intersection an All-Way STOP;
Barneveld and Sweeny Streets, stopping Sweeny Street at Barneveld Street, making this intersection an All-Way STOP; and,
44th Avenue and Santiago Street, stopping 44th Avenue at Santiago Street, making this intersection an All-Way STOP.
(Parking and Traffic Department)
(6/24/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3023.)

6/24/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 06/27/05 - Parking and Traffic notified to post notices and ad place in the 07/2/05 edition of the SF Chronicle.

051188 **[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

STREET CLOSURE, 10 AM TO 10 PM, EVERYDAY - RESCIND
STREET CLOSURE, 10 AM TO 2 AM, EVERYDAY - ESTABLISH
Claude Lane, between Bush and Sutter Streets
(Parking and Traffic Department)
(6/24/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3023.)

6/24/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 06/27/05 - Parking and Traffic notified to post notices and ad place in the 07/2/05 edition of the SF Chronicle.

051190 **[Parking Regulations]**
Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
26th Street, both sides, between Church and Dolores Streets (3800 Block).

NO PARKING ANYTIME - RESCIND
TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Kimball Street east side, south of Sacramento Street.

UNMETERED MOTORCYCLE PARKING - RESCIND
32nd Avenue, east side, from 215 feet north of Anza Street to 25 feet northerly (leaving 4 motorcycle parking spaces).

NO PARKING ANYTIME - ESTABLISH
Le Conte Circle, both sides, at Le Conte Avenue; and,
Stanyan Street, west side, within the intersection of Hayes Street.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
4th Street, east side, from 42 to 82 feet south of Market Street; and,
Paulding Street, south side, from the Arago Street intersection to 115 feet westerly.

RESIDENTIAL PERMIT PARKING AREA "N" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Fulton Street, north side, between Funston and 10th Avenue (3400, 3500, 3600 blocks).
(Parking and Traffic Department)
(6/24/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3023.)

6/24/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 06/27/05 - Parking and Traffic notified to post notices and ad place in the 07/2/05 edition of the SF Chronicle.

051191 **[Airport Food and Beverage Lease]**
Resolution approving the Terminal 1 Casual Dining & Bar Lease between WSE Group, Inc., and the City and County of San Francisco, acting by and through its Airport Commission.

6/22/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051218 **[Public Works Landmark Trees]**
Resolution approving designation of four (4) tree locations for Landmark Status because of their historical significance, aesthetic qualities, or contribution to the City's overall character.

6/24/2005, RECEIVED AND ASSIGNED to Land Use Committee.

051219 **[Freeway Maintenance Agreement for Central Freeway Replacement Project]**
Resolution authorizing the City and County of San Francisco's Director of Public Works to execute a Freeway Maintenance Agreement with the State of California, acting by and through its Department of Transportation apportioning maintenance responsibilities for the Central Freeway Replacement Project.
(Public Works Department)

6/24/2005, RECEIVED AND ASSIGNED to Land Use Committee.

051281 **[Petitions and Communications, Part 1]**

Petitions and Communications received from June 21, 2005 through July 12, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on July 11, 2005.

From Department of Public Works, concerning the raw sewage discharging from a sewer vent near 280 Edgehill Way. (Reference No. 20050607-011) Copy: Supervisor Elsbernd (1)

From Civil Service Commission, submitting response to proposed Charter Amendment that increases retirement benefits to eligible employees. File 050931, Copy: Rules Committee member's (2)

From Civil Service Commission, submitting response to proposed Charter Amendment to increase the autonomy and fiscal authority of the Health Commission. File 031567, Copy: Rules Committee member's (3)

From Civil Service Commission, submitting notice that the Civil Service Commission did not enter any sole source contracts in fiscal year 2004-05. (4)

From Office of the Controller, submitting a cost analyst on proposed Charter Amendment that provides the Mayor and Board of Supervisors with the same authority over the Municipal Transportation Agency's (MTA) budget that they have over the budgets of other City departments; and directing the Controller to conduct required reviews of the agency. Copy: Each Supervisor (5)

From Office of the Controller, submitting a cost analyst on proposed Charter Amendment that divides appointments to the Municipal Transportation Agency's Board of Directors between the Mayor and the Board of Supervisors. Copy: Each Supervisor (6)

From Office of the Controller, submitting a cost analyst on proposed Charter Amendment that authorizes the Board of Supervisors and city departments to post public hearing notices on the department's website rather than publishing in the official newspaper. Copy: Each Supervisor (7)

From Office of the Controller, submitting a cost analyst on proposed Charter Amendment that creates minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records laws. File 050925, Copy: Each Supervisor (8)

From Office of the Controller, submitting a cost analyst on proposed Charter Amendment that imposes term limits and a new residency requirement for members of City boards and commissions and limiting holdover appointments. File 050927, Copy: Each Supervisor (9)

From Office of the Controller, submitting a cost analyst on Charter Amendment that authorizes the Board of Supervisors to meet by teleconferencing or other electronic means during a state of emergency. File 050492, Copy: Each Supervisor (10)

From Office of the Controller, submitting a cost analyst on Charter Amendment that establishes a baseline funding level for the Department of Public Health. File 031567, Copy: Each Supervisor (11)

From Office of the Vice-Mayor, Cambridge, Massachusetts, urging support for a resolution that supports the work of Beatrice Alamanni de Carrillo, Attorney General for Human Rights in El Salvador. (12)

From Human Services Agency, submitting list of sole source contracts entered into during fiscal year 2004-05. (13)

From Employees' Retirement System, submitting list of sole source contracts entered into during fiscal year 2004-05. (14)

From Golden Gate Bridge Highway and Transportation District, regarding appointment to the Board of Directors of the Golden Gate Bridge Highway and Transportation District. Copy: Rules Committee Clerk (15)

From Juvenile Probation Department, submitting response to the 2004-05 San Francisco Grand Jury Report entitled, "A New Chief of the Juvenile Probation Department: An Opportunity for Reform". Copy: Each Supervisor (16)

From Ray Bair, submitting request for transfer of a type 21 (off-sale beer and wine) license for "Cheese Plus, LLC." located at 2001 Polk Street. (17)

From Office of Emergency Services and Homeland Security, regarding the tsunami warning San Francisco received from the State Department. Copy: Each Supervisor (18)

From Becky Arp, concerning the alleged lack of customer service at the Department of Parking and Traffic. (19)

From Superior Court, submitting report entitled, "Employee or Independent contractor?" Copy: Each Supervisor (20)

From Office of the Controller, submitting the fixed cost increases for non-profit agencies contracting with the City. (21)

From Public Utilities Commission, submitting request for waiver of Administrative Code Chapter 12B for Beamex, Inc. (22)

From Bay Area Legal Aid, regarding San Francisco's 2005-06 proposed budget for the Single Standard of Care Policy and the SFGH Dialysis Unit. File 050977, Copy: Each Supervisor (23)

From Bay Area Legal Aid, submitting opposition to charging persons with monthly incomes of $400-$800 for prescription medicines as is presently proposed in the City budget for fiscal year 2005-06. File 050977, Copy: Each Supervisor (24)

From Public Utilities Commission, submitting request to continue public hearing for appeal of Categorical Exemption from environmental review for Bay Division Pipeline Seismic Upgrade at Hayward Fault to July 19, 2005. File 050952 (25)

From UC San Francisco, regarding the Department of Public Health's proposed closure of the Workers' Compensation Clinic at SF General Hospital. Copy: Each Supervisor (26)

From Office of the City Attorney, submitting the hours of service provided to the Board of Supervisors for January through April 2005. (27)

From Office of the City Attorney, submitting the hours of service provided to the Board of Supervisors on confidential matters for January through April 2005. (28)

From concerned citizens, submitting opposition to the library's proposal to install radio frequency identification tags on books, videos and other library materials. File 050968, Copy: Each Supervisor (29)

From concerned citizens, submitting opposition to proposed funding cuts to public access television in San Francisco. File 050967 (30)

From the Jewish Community Relations Council, thanking the Board for passing Resolution No. 352-05, honoring Bay Area Holocaust Survivors on the 60th Anniversary of their liberation. (31)

From Bob Callori, regarding appeal of minor sidewalk encroachment permit for 405 Hill Street. (32)

From Assistant Clerk of the Board, responding to the 2004-05 Civil Grand Jury Report "Compensation Issues in the San Francisco Police Department." Copy: Each Supervisor (33)

From the Port, regarding staffing of Fire Boats at Pier 26 in San Francisco. (34)

From Office of the Controller, submitting notice that the Office of the Controller did not enter any sole source contracts in fiscal year 2004-05. (35)

From Sunshine Ordinance Task Force, urging members of the Board to vote against the "Minimum Qualifications" Charter Amendment. File 050925 Copy: Each Supervisor (36)

From Sunshine Ordinance Task Force, urging members of the Board to sever a portion of Charter Amendment (File 050492) pertaining to the City posting certain notices on City Web sites rather than publishing in official newspaper. File 050492 (37)

From Department of Public Works, concerning status of re-paving the section JFK Drive in Golden Gate Park that is closed to vehicular traffic on Sundays. (Reference No. 20050607-004) Copy: Supervisor Mirkarimi (38)

From Transportation Working Group of the San Francisco Green Party, submitting support for Charter amendment that makes the MTA accountable to the Mayor and the Board of Supervisors. File 050929 (39)

From Transportation Working Group of the San Francisco Green Party, submitting support for Charter amendment that divides appointments to the MTA Board of Directors between the Supervisors and the Mayor. File 050818 (40)

From Kristin McPeak, urging the Mayor and the Board to enact a Community Choice Energy plan in San Francisco. Copy: Supervisor Mirkarimi (41)

From Planning Department, submitting list of sole source contracts entered into during fiscal year 2004-05. (42)

From Board of Supervisors/Clerk of the Board Office, submitting notice that the Board of Supervisors/Clerk of the Board Office did not enter into any sole source contracts during fiscal year 2004-05. (43)

From Department of Human Resources, submitting list of sole source contracts entered into during fiscal year 2004-05. (44)

From Health Service System, submitting list of sole source contracts entered into during fiscal year 2004-05. (45)

Number not used. (46)

From Mayor's Office of Housing, regarding the percentage and total dollar amount of CDBG dollars used for housing projects in District 5 and awarded to service providers located in/and serving the District 5 population. (Reference No. 20050503-007) Copy: Supervisor Mirkarimi (47)

From Employees' Retirement System, concerning the impact of proposed Charter amendment that imposes term limits for members of City Boards and Commissions. File 050927 (48)

From Planning Department, submitting list of gifts received under $10,000 by the Planning Department. Copy: Each Supervisor (49)

From Department of Public Health, concerning the raw sewage discharging from a sewer vent near 280 Edgehill Way. (Reference No. 20050607-010) Copy: Supervisor Elsbernd (50)

051282 **[Petitions and Communications, Part 2]**

Petitions and Communications received from June 21, 2005 through July 12, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on July 11, 2005. Part 2.

From Michael Cohen and Steve Legnitto, urging the Board to approve the lease extension for Metropolitan Transportation Agency into the 7th floor of the office building at One South Van Ness Avenue. File 05-0763, Copy: Each Supervisor (51)

From Planning Department, concerning the immediate environment of Sutro Tower. (Reference No. 20050503-015) Copy: Supervisor Elsbernd (52)

From Public Utilities Commission, submitting request for waiver of Administrative Code Chapter12B for Pioneer Americas, LLC. (53)

From Human Rights Commission, submitting request for waiver of Administrative Code Chapter12B for San Francisco Convention Facilities. (54)

From Monica Fish, regarding changes to salaries, floating holidays, etc., effective July 1, 2005 in the Unrepresented Employee Ordinance. (55)

From Human Services Commission, submitting list of gifts received up to $5,000 in value by the Human Service Commission. (56)

From Department of Human Resources, submitting quarterly report on the MEA Management Classification and Compensation Plan and the Triparitite MCCP Settlement Quarterly Report. (57)

From James Chaffee, regarding consideration of proposal to place Radio Frequency Identification in library books. (58)

From Clerk of the Board, responding to constituent regarding funding to acquire the text of closed captioned SFGTV Board of Supervisors content. (59)

From Office of the Treasurer and Tax Collector, submitting notice that the Office of the Treasurer and Tax Collector did not enter any sole source contracts in fiscal year 2004-05. (60)

From Department on the Status of Women, submitting notice that the Department on the Status of Women did not enter any sole source contracts in fiscal year 2004-05. (61)

From the Airport Commission, submitting notice that the Airport Commission did not enter any sole source contracts in fiscal year 2004-05. (62)

From Office of the City Attorney, submitting notice that the Office of the City Attorney did not enter any sole source contracts in fiscal year 2004-05. (63)

From Law Library, submitting notice that the Law Library did not enter any sole source contracts in fiscal year 2004-05. (64)

From Department of Human Resources, submitting quarterly report of economic settlements. (65)

From S.F. Mental Health Board, submitting annual report for fiscal year 2004/05. (66)

From Public Utilities Commission, regarding the feasibility of relocating a utility pole currently on Cotter at Mission Street in front of the Excelsior Library window. (Reference No. 20050510-001) Copy: Supervisor Sandoval (67)

From PG&E, regarding resolution that asks the California Public Utilities Commission to require PG&E to share the names and contact information of its largest electric customers with Community Choice Aggregation officials. File 051265, Copy: Each Supervisor (68)

From Office of the City Attorney, advising on whether two appeals of Final Negative Declaration for a project at 800 Brotherhood Way were filed in a timely manner. File 051234 (69)

From Office of the City Attorney, advising on whether an appeal of Categorical Exemption for a project at 899 North Point was filed in a timely manner. File 051222 (70)

From Clerk of the Board, regarding the Diversity Tracking System pursuant to Administrative Code Section 12D.A.18(D). (71)

From Department of Public Health, regarding the merger of emergency medical services and the San Francisco Fire Department as reported in the Grand Jury Report of 2004. (72)

From West Bay Pilipino Multi-Service Center, regarding the Controller's review of West Bay Pilipino Multi-Service Center. (73)

From Office of the Controller, submitting report presenting the performance audit of the City's Health Service System. (74)

From Bay Area Legal Aid, Coalition on Homelessness, submitting their report on the People's Budget for 2005. Copy: Each Supervisor (75)

From concerned citizens, regarding the disproportional amount of emergency vehicle noise on Hyde and Ellis Streets. Copy: Supervisor Daly (76)

From concerned citizens, commenting on proposal to initiate a fee for driving downtown in San Francisco. (77)

From concerned citizens, commenting on proposed Charter amendment regarding standards for Ethics Commissioners. File 050925, Copy: Supervisors Alioto-Pier, Mirkarimi, Peskin (78)

From Civil Service Commission, regarding proposed amendment to the City Charter to increase the autonomy and fiscal authority of the Health Commission. File 031567 (79)

From concerned citizens, urging the Board to reconsider their vote on the Fee Increase for the SF Small Craft Harbor. File 050602, Copy: Each Supervisor (80)

From concerned citizens, submitting various suggestions on what to do about dangerous dogs in San Francisco. Copy: Each Supervisor (81)

From Marsha Williams, regarding a gift acceptance to the City and County of San Francisco. (82)

From concerned citizens, commenting on the City Controller's 2005 City Survey giving San Francisco a C+ for city services. (83)

From concerned citizens, regarding Supervisor Daly and District 6. (84)

From Lakeshore Acres Improvement Club and Julian Lagos, requesting continuance of public hearing for appeal of Conditional Use for project at 800 Brotherhood Way. File 051234, Copy: Each Supervisor (85)

From Julian Lagos, regarding appeal of Conditional Use for project at 800 Brotherhood Way. File 051234, Copy: Each Supervisor (86)

From San Francisco Gray Panthers, submitting support for proposed legislation regarding the Single Standard of Care. File 051030, Copy: Each Supervisor (87)

From Stephen Williams, confirming appellants request that appeal for project at 1730-50 Van Ness Avenue be continued pending a new application by the developers of the proposed project. File 041275 (88)

From Planning Department, regarding appeal of Categorical Exemption for the Bay Division Pipeline 3 and 4 Seismic Upgrade at the Hayward Fault. File 050952 (89)

From Letha Saldanha, regarding appeal of Categorical Exemption for the Bay Division Pipeline 3 and 4 Seismic Upgrade at the Hayward Fault. File 050952 (90)

From Public Utilities Commission, withdrawing appeal of Categorical Exemption for the Bay Division Pipeline 3 and 4 Seismic Upgrade at the Hayward Fault. File 050952, Copy: Each Supervisor (91)

From Planning Department, submitting the draft Environmental Impact Report (EIR) for the Market and Octavia Neighborhood Plan. (92)

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised

July 7, 2005

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Ordinance adding Section to the Administrative Code to provide for single standard of mental health services	051030	City Operations & Neighborhood Services	Supervisor Daly	6/7/05	7/7/05
Ordinance amending SF Campaign and Governmental Conduct Code to disqualify any candidate with outstanding campaign fines or penalties etc from eligibility for public funding for campaigns	051033	Rules Committee	Supervisor Elsbernd	6/7/05	7/7/05
Ordinance amending the Electioneering Communications Ordinance	051035	Rules Committee	Supervisors Mirkarimi, Maxwell, Ammiano, Daly, Peskin	6/7/05	7/7/05
Ordinance to establish a comprehensive program to require the recovery rather than landfill disposal of construction and demolition debris	051142	Land Use Committee	Supervisor Ma	06/14/05	07/14/05
Ordinance amending Section 724.1 Planning Code to allow conditional use – Sacramento Street Neighborhood Commercial District	051248	Land Use Committee	Supervisor Alioto-Pier	6/28/05	7/28/05
Ordinance amending Planning Code to define medical cannabis guidelines and dispensary zoning and permitting	051250	Land Use Committee	Supervisor Mirkarimi	6/28/05	7/28/05
Ordinance amending Planning Code to define medical cannabis zoning	051260	Land Use Committee	Supervisor Sandoval	6/28/05	7/28/05

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.
JUL 15 2005
SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, July 19, 2005 1:00 PM

Rescheduled Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Ammiano, Mirkarimi, Elsbernd, Ma, McGoldrick	Thursday 1:00 PM
Budget and Finance Subcommittee Supervisors Ammiano, Mirkarimi, Elsbernd	Thursday 11:00 AM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns, Delegate Wong	2nd Monday (Bi-Monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Peskin, Elsbernd, Daly	2nd and 4th Monday 1:00 PM
Land Use Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Alioto-Pier, Mirkarimi, Peskin	Wednesday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Meeting Minutes for June 21, 2005.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 4

Recommendation of the Budget and Finance Subcommittee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

1. 050866 **[Authorizing Agreement with J.P. Morgan Electronic Financial Services, Inc]**
Supervisor Ammiano
Resolution authorizing an agreement with J. P. Morgan Electronic Financial Services, Inc. to facilitate the use of state-issued Electronic Benefits Transfer cards at the Alemany Farmer's Market.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Mirkarimi

2. **051030** **[Single Standard of Mental Health Access and Care]**
Supervisors Daly, Peskin, Mirkarimi
Ordinance adding Section 15.23 to the Administrative Code to provide for single standard of mental health services access and care for indigent and uninsured San Francisco residents and residents who are Medi-Cal beneficiaries.
(Fiscal impact.)

7/12/2005, PASSED ON FIRST READING. Supervisor Mirkarimi requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

3. **050830** **[Zoning – Allow Tourist Hotels of 75 Rooms or Less in the SSO District as conditional uses]**
Supervisor Daly
Ordinance amending the San Francisco Planning Code by amending Sections 803.4 and 818, and adding Section 818.78 to Table 818 to allow a tourist hotel of 75 rooms or less as a conditional use in the SSO (Service/Secondary Office District); adopting findings.

7/12/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Maxwell, McGoldrick

4. **051031** **[Requiring additional reporting and recordkeeping by residential hotels and authorizing additional inspections]**
Supervisors Daly, Mirkarimi
Ordinance amending the San Francisco Administrative Code by amending Section 41.9, to require additional reporting and recordkeeping by residential hotels and establishing additional inspection authority to ensure compliance with California Civil Code Section 1940.1.

7/12/2005, PASSED ON FIRST READING. Supervisor Mirkarimi requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

5. 051305 **[Adopting findings related to affirming the categorical exemption for 1740 20th Street]**
Motion adopting findings affirming the determination by the Planning Department that the 1740 20th Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/13/2005, REFERRED to Board of Supervisors.
Question: Shall this Motion be APPROVED?

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd, Ma, McGoldrick

6. 050968 **[Annual Budget, FY 2005-06]**
Motion approving Annual Budget for the City and County of San Francisco for Fiscal Year 2005-2006.
(Clerk of the Board)
(Supervisors Mirkarimi and McGoldrick Dissenting in Committee)

7/12/2005, CONTINUED. Continued to July 19, 2005
Question: Shall this Motion be APPROVED?

7. 051130 **[Government Funding, Fiscal Year 2005-2006]**
Mayor
Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2006.
(Fiscal impact.)
(Supervisor McGoldrick Dissenting in Committee)
(Supervisor Mirkarimi Dissenting in Committee on the Annual Appropriation Ordinance for Selected Departments)

7/12/2005, CONTINUED. Continued to July 19, 2005
Question: Shall this Ordinance be PASSED ON FIRST READING?

8. 051131 [Public Employment, Fiscal Year 2005-2006]

Mayor

Consolidated Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2006, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

(Fiscal impact.)

7/12/2005, CONTINUED. Continued to July 19, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Mirkarimi, Elsbernd, Ma

9. 050995 [Redevelopment Agency Budget and Bonds]

Mayor

Resolution approving the Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2005-2006; and approving the Issuance by the Agency of Bonds in an aggregate principal amount not to exceed $118,000,000 for the purpose of financing a portion of Redevelopment activities as described in such approved Budget for fiscal year 2005-2006.

(Fiscal impact.)

7/12/2005, CONTINUED. Continued to July 19, 2005

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Ammiano, Mirkarimi, Elsbernd, Ma, McGoldrick

10. 050997 [Treasure Island Development Authority Budget]

Mayor

Resolution approving the Budget of the Treasure Island Development Authority for fiscal year 2005-2006.

(Fiscal impact.)

7/12/2005, CONTINUED. Continued to July 19, 2005

Question: Shall this Resolution be ADOPTED?

11. 050983 **[Clarifying that the Bureau of Delinquent Revenue is authorized to add costs incurred in collecting money owed to the city to the original charge and to collect those costs from the debtor]**

Mayor

Ordinance amending Chapter 10, Article V of the San Francisco Administrative Code by amending Section 10.41-1 to authorize the Bureau of Delinquent Revenue Collection to collect costs incurred in collecting claims for money owed to the City, to add those costs to the original charge and to collect those costs from the debtor.

7/12/2005, CONTINUED. Continued to July 19, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 050984 **[Increasing fees for certain services provided by the Medical Examiner]**

Mayor

Ordinance making environmental findings, and amending San Francisco Administrative Code Section 8.14, to increase the fees for forensic non-medical examiner or outside county autopsy, disaster bags, removal of remains, and storage of remains.

7/12/2005, CONTINUED. Continued to July 19, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

13. 050985 **[Patient Rates]**

Mayor

Ordinance amending Section 128 of the San Francisco Health Code to set patient rates and other services provided by the Department of Public Health, effective July 1, 2005.

7/12/2005, CONTINUED. Continued to July 19, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 050986 **[Public Works Code occupancy assessment fees for various encroachments]**

Mayor

Ordinance amending the Public Works Code to amend Section 723.2 to adopt a public right-of-way occupancy assessment fee for minor sidewalk encroachments, to amend Section 724.1 to modify the public right-of-way occupancy assessment fee for temporary street occupancy permits; and to add Section 786.7 to adopt a public right-of-way occupancy assessment fee for street encroachments; and making environmental findings.

7/12/2005, CONTINUED. Continued to July 19, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 050987 **[Golf Fees - Harding Park, Golden Gate Park, McLaren Park]**

Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by amending Sec. 12.12 to increase the fees at Harding Park and Fleming Golf Courses; amending Sec. 12.16 to increase the fees at Golden Gate Park Golf Course; amending Sec. 12.20 to authorize an annual cost of living increase in golf fees; and amending Sec. 12.33 to set a maximum fee for golf cart rentals.

7/12/2005, CONTINUED. Continued to July 19, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Ammiano, Elsbernd, Ma, McGoldrick

16. 050989 [Recreation and Park – Tiny Tots Fees]

Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding Section 12.35 to standardize the Department's Tiny Tot/Child Development Program's curriculum and associated fee schedule.

7/12/2005, CONTINUED. Continued to July 19, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. 050990 [Recreation and Park Department – Athletic Field Permit Fees for Adults]

Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding Section 12.36 to increase the fees for use of the athletic fields by adults.

7/12/2005, CONTINUED. Continued to July 19, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. 050991 [Recreation and Park – Aquatic Fees]

Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding Section 12.34 establishing the fee structure for use of aquatic facilities and for related aquatic activities.

7/12/2005, CONTINUED. Continued to July 19, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 050992 [Lake Merced Fees – Boat Storage]

Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding San Francisco Park Code Section 12.38 to establish boat storage fees.

7/12/2005, CONTINUED. Continued to July 19, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 050999 [Arts Commission Special Funds]

Mayor

Ordinance amending Article XIII of the San Francisco Administrative Code by amending Sections 10.100-28, 10.100-30 and 10.100-34 to redesignate the Arts Commission Market Street Art Maintenance Fund and the Arts Commission Youth Arts Fund as sub-accounts of the Arts Commission Public Arts Fund.

7/12/2005, CONTINUED. Continued to July 19, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

21. 051000 **[Board of Appeals Surcharge]**

Mayor

Ordinance (1) amending Section 10G.1 of the San Francisco Administrative Code to add a Board of Appeals surcharge for tobacco retailer's permits issued pursuant to San Francisco Health Code Section 1009.53, (2) amending Section 10G.1 to adjust the surcharges for permits and annual license renewals issued pursuant to San Francisco Police Code Sections 2.26, 2.27 and 2.27.1, and (3) making findings pursuant to the California Environmental Quality Act, Public Resources Code Section 21080(b)(8)(A), that the new Board of Appeals Surcharge and adjustments to existing Board of Appeals surcharges are not a "project" and that such surcharges are imposed for the purpose of meeting operating expenses of the Board of Appeals, including employee wage rates, fringe benefits and other direct and indirect overhead charges attributable to administrative appeals to the Board of Appeals pursuant to Charter Section 4.106.

7/12/2005, CONTINUED. Continued to July 19, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Ammiano, Elsbernd, McGoldrick

22. 050993 **[Providing for waiver of fees and changing fees for Emergency Medical Services and making environmental findings]**

Mayor

Ordinance amending Article 3 of the Health Code by adding Section 120.1 to require the San Francisco Fire Department to waive fees for Emergency Medical Services upon a showing that all persons legally obligated to pay have insufficient income to pay the bill without undue hardship and the patient is not covered by insurance; and amending Section 128.1, to create a fee for providing service to a patient without transporting the patient, to increase the base rate fees for both Basic Life Service and Advanced Life Service, to increase the fee for mileage, to eliminate the fee for night service, to substitute a flat fee for supplemental supplies in place of fees for individual supplies used to treat each patient, to amend the language regarding changes in fees in subsequent years to fix typographical errors, to eliminate the provision by which the San Francisco Fire Department could add charges for additional supplies, and to make environmental findings.

7/12/2005, CONTINUED. Continued to July 19, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. 050994 **[Increasing Fire Department Fees For Service]**

Mayor

Ordinance amending Sections 106.8, 106.9, 106.11, 106.15, 106. 17, and Table 106B of the San Francisco Fire Code to increase the San Francisco Fire Department's fees for high rise inspection, plan review, pre-application plan review, overtime, and water flow requests, to become operative on its effective date or on July 1, 2005 whichever is later, and making environmental findings.

7/12/2005, CONTINUED. Continued to July 19, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Ammiano, Mirkarimi, Elsbernd, Ma, McGoldrick

24. 051001 [Making Environmental Findings and Establishing the Community Courts Program and Administrative Fee]

Mayor

Ordinance making required environmental findings; amending section 10.100-95 of the Administrative Code to provide that monies collected from participants in the Community Court Program to settle disputes or dismiss charges be deposited in the Mayor's Community Support Fund and make other technical amendments; amending section 10.100-295 of the Administrative Code to designate the Mayor's Office of Criminal Justice as administrator of the Dispute Resolution Program and Fund and to designate the Mayor's Office of Criminal Justice and the District Attorney's Office as administrators of the Community Courts Program; and to add section 10.183 to the Administrative Code to establish and authorize the District Attorney to collect a Community Court Program Administrative Fee to recover the City's costs for the District Attorney to participate in the operation of the Community Courts Program.

7/12/2005, CONTINUED. Continued to July 19, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

25. 051002 [Establishing Mayor's Office on Disability administrative fees for plan reviews and site inspections]

Mayor

Ordinance making environmental findings and amending the San Francisco Administrative Code by adding a new section 2A.22.1 establishing Mayor's Office on Disability administrative fees for plan reviews and site inspections.

7/12/2005, CONTINUED. Continued to July 19, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Ammiano, Mirkarimi, Elsbernd, McGoldrick

26. 051003 [Repeal of exemption from paying tow and storage fees on stolen vehicles, and waiver of an administrative fee for recovered stolen vehicles owned by residents]

Mayor

Ordinance repealing San Francisco Administrative Code Section 10C.8-1, which exempts residents of San Francisco from paying tow and storage fees on stolen vehicles, and amending San Francisco Administrative Code Section 10C.1 and San Francisco Traffic Code Section 170.1 to exempt City residents from payment of an administrative fee in connection with the towing and storage of stolen vehicles.

7/12/2005, CONTINUED. Continued to July 19, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. 051004 **[Recovery of the City's costs of emergency response to incidents resulting from the negligent operation of a motor vehicle, boat or vessel by a person under the influence of alcohol or drugs]**

Mayor, Supervisors Ma, Mirkarimi

Ordinance adding Chapter 10H to the San Francisco Administrative Code authorizing the City to recover the costs of emergency response to incidents resulting from negligent operation of motor vehicles, boats or vessels by persons under the influence of alcohol or drugs, and the costs of emergency response to incidents caused by individuals' intentionally wrongful conduct; defining emergency response for the purpose of this chapter; providing for the establishment by ordinance of the standard, hourly charges for personnel and equipment used in emergency response to such incidents; and directing the Police Department, Fire Department and the Health Department to coordinate with designated City officials to prepare and deliver invoices to the persons responsible for the costs of the City's emergency response to such incidents.

7/12/2005, CONTINUED. Continued to July 19, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Ammiano, Mirkarimi, Elsbernd, Ma, McGoldrick

28. 050917 **[Planning Department fee increases and permit surcharge to cover costs of appeals to the Board of Supervisors]**

Supervisor Peskin

Ordinance amending the San Francisco Planning Code by amending Sections 352 and 355 and by amending the San Francisco Administrative Code by amending Section 31.22 to increase planning fees and add a surcharge to compensate the City for the costs of appeals to the Board of Supervisors; making environmental findings.

7/12/2005, CONTINUED. Continued to July 19, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

29. 051027 **[Entertainment Commission Permits, Licenses and Fees]**

Mayor

Ordinance (1) amending the San Francisco Police Code by amending Sections 2.2, 2.9, 2.25, 2.26, 2.27, 2.31, 43, 43.2, 48 1037.2, and adding Sections 1060.1-1 and 1070.1-1, to (i) increase the application fees for Place of Entertainment permits and permits for Extended Hours Premises, and the annual license fees for Places of Entertainment and Mechanical Amusement Devices, to defray the City's annual costs of Entertainment Commission operations attributable to such permitted businesses, (ii) eliminate distinctions between commercial and non-commercial uses for purposes of loudspeaker permits (iii) and to make technical amendments and corrections, as specified; (2) amending the San Francisco Business and Tax Regulations Code by amending Sections 1.1, 1.2, 1.3, 1.51, 8, and 23, and adding Sections 249.17, 249.18, and 249.19, to make technical amendments and corrections in conformity with the amendments to the Police Code; and (3) making findings pursuant to the California Environmental Quality Act, Public Resources Code Section 21080(b)(8)(A), that the adjustments to the fees are not a "project" and that such fees are imposed for the purpose of meeting operating expenses of the Entertainment Commission and Police Department, including employee wage rates, fringe benefits and other direct and indirect overhead charges attributable to such entertainment-related permits and annual licenses.

7/12/2005, CONTINUED. Continued to July 19, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

30. 051133 [Repealing Revolving Fund for Commission on the Status of Women]

Mayor

Ordinance amending the Administrative Code by repealing section 10.169-11 to eliminate the Commission on the Status of Women's revolving fund.

7/12/2005, CONTINUED. Continued to July 19, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

31. 051135 [Requiring City departments to report to the Board of Supervisors each quarter on those appropriations items where the department is spending at a rate that would exhaust the appropriation before the end of the fiscal year]

Mayor

Ordinance amending the San Francisco Administrative Code by adding Section 10.19-5, to require City departments to report to the Board of Supervisors each quarter on those appropriations items where the department is spending at a rate that would exhaust the appropriation before the end of the fiscal year.

7/12/2005, CONTINUED. Continued to July 19, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

32. 051136 [Establishing the San Francisco City Services Preservation Fund to receive donations from employees and private donors in order to offset the City's deficit and preserve City services]

Mayor

Ordinance amending the San Francisco Administrative Code by adding Section 10.100-290, to establish the San Francisco City Services Preservation Fund to receive donations from employees and private donors in order to offset the City's deficit and preserve City services.

7/12/2005, CONTINUED. Continued to July 19, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

33. 051137 [Prohibiting the Department of Human Services from requiring fingerprint imaging of clients, unless required by grant programs, by state or federal law, by voter initiative, or by the County Adult Assistance Programs]

Mayor

Ordinance amending the San Francisco Aministrative Code by adding Section 20.30, to prohibit the Department of Human Services from requiring fingerprint imaging of clients, unless required by grant programs, by state or federal law, by voter initiative, or by the County Adult Assistance Programs.

7/12/2005, CONTINUED. Continued to July 19, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

34. 051138 **[Authorizing department heads to accept and expend donations from recognized non-profit organizations for specified improvements to City-owned recreation, library, cultural or health facilities]**

Mayor

Ordinance amending the San Francisco Administrative Code by adding Section 10.88, to authorize department heads to accept and expend donations from recognized non-profit organizations to augment approved seismic upgrading, provide equipment, facility improvements or expansion and/or modification of City-owned recreation, library, cultural or health facilities.

7/12/2005, CONTINUED. Continued to July 19, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

35. 051139 **[Authorizing the Sheriff and Police Departments to implement a booking fee and seek State reimbursement; providing for cost recovery]**

Mayor

Ordinance amending the San Francisco Administrative Code by adding Section 8.27-1, to authorize the Sheriff and Police Departments to implement a booking fee and seek State reimbursement and to direct the Controller to provide for full cost recovery between the departments.

7/12/2005, CONTINUED. Continued to July 19, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

36. 051148 **[Public Education Enrichment Fund]**

Supervisors Ammiano, Mirkarimi

Resolution approving the San Francisco Unified School District and the First Five Commission's expenditure plans for the Public Education Enrichment Fund.

7/12/2005, CONTINUED. Continued to July 19, 2005
Supervisor Mirkarimi requested to be added as a co-sponsor.

Question: Shall this Resolution be ADOPTED?

From the Budget and Finance Subcommittee Without Recommendation

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

37. 050932 [Street Resurfacing, Pedestrian Safety and Access Improvement Bond Special Election]
Supervisors Ammiano, Peskin

Ordinance calling and providing for a special election to be held in the City and County of San Francisco (the "City") on Tuesday, November 8, 2005, for the purpose of submitting to the voters of the City a proposition to incur the following bonded debt of the City: Two Hundred and Eight Million Dollars ($208,000,000) to finance street reconstruction, pavement renovation, disabled access curb ramp construction, sidewalk and street improvements, street structure rehabilitation and improvements, pedestrian safety street and signal improvements, street improvements for bicycle use and all other structures and improvements necessary or convenient for the foregoing purposes; finding that the estimated costs of such proposed projects are and will be too great to be paid out of the ordinary annual income and revenue of the City and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot questions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; and incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code.

(Fiscal impact.)

7/12/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use Committee

Present: Supervisors Maxwell, McGoldrick

38. 050254 [Amending Planning Code Sec 703.3 to designate formula retail uses as a conditional use in the Small-Scale NCD along Divisadero from Haight to Turk Streets]
Supervisor Mirkarimi

Ordinance to amend the Planning Code by amending section 703.3 to designate formula retail uses as a conditional use in the Small-Scale Neighborhood Commercial District along Divisadero Street from Haight to Turk Streets and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

7/12/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

39. 050818 **[Charter Amendment - Dividing appointments to the Municipal Transportation Agency's Board of Directors between the Mayor and the Board of Supervisors]**

Supervisor Ammiano

Charter amendment (Third Draft) to amend Section 8A.102, to divide appointments to the Municipal Transportation Agency's Board of Directors between the Mayor and the Board of Supervisors.

Supervisor Alioto-Pier dissented in Committee.

7/12/2005, CONTINUED. Continued to July 19, 2005

Question: Shall this Charter Amendment be SUBMITTED?

40. 050918 **[Charter Amendment - Requiring that one-time revenues be spent only for one-time uses, unless otherwise authorized by the Board of Supervisors]**

Supervisor Elsbernd

Charter Amendment (Second Draft) to add Section 9.120 to require that one-time revenues be spent only for one-time uses, unless the Board of Supervisors appropriates the revenues for another purpose by a two-thirds' vote.

7/12/2005, CONTINUED. Continued to July 19, 2005

Question: Shall this Charter Amendment be SUBMITTED?

41. 050927 **[Charter Amendment - Imposing term limits for members of City boards and commissions; limiting hold-over appointments]**

Supervisor Peskin

Charter Amendment (Third Draft) to add Section 4.101.5 to impose term limits for members of City boards and commissions and to limit hold-over appointments.

7/12/2005, CONTINUED. Continued to July 19, 2005

Question: Shall this Charter Amendment be SUBMITTED?

42. 050928 **[Charter Amendment - Ethics Commission Charter Amendment]**

Supervisor Mirkarimi

Charter Amendment (Second Draft) to amend Section C3.699-14 to establish a budget process for the Ethics Commission and add Section C3.99.15 to authorize the hiring of outside counsel for specified conflicts.

(Fiscal impact.)

7/12/2005, CONTINUED. Continued to July 19, 2005

Question: Shall this Charter Amendment be SUBMITTED?

Present: Supervisors Alioto-Pier, Peskin

43. 050925 [Charter Amendment - Minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records laws]

Supervisor Alioto-Pier

Charter Amendment (Second Draft) to add Section 15.104 to create minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records laws.

7/12/2005, CONTINUED. Continued to July 19, 2005

Question: Shall this Charter Amendment be SUBMITTED?

From the Rules Committee Without Recommendation

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

44. 050492 [Charter Amendment - Authorizing Board of Supervisors to meet by teleconferencing during state of emergency; requiring Board to post various notices on its website and eliminating requirement that the Board publish those notices in the newspaper]

Supervisors Ma, McGoldrick

Charter Amendment (Third Draft) to amend Section 2.103 to allow the Board of Supervisors to meet by teleconferencing or other electronic means during a state of emergency, and by amending Sections 2.103, 2.108, 2.117, 16.112, and Article XVII, to: (1) require that City departments, including the Board of Supervisors, to post various notices on the departments' websites and eliminate the requirement that the departments publish such notices in the City's official newspaper; and (2) assign individual section numbers to the definitions contained in Article XVII.

7/12/2005, CONTINUED. Continued to July 19, 2005

Question: Shall this Charter Amendment be SUBMITTED?

45. 050926 [Charter Amendment - Neighborhood Beautification Initiative]

Supervisor Alioto-Pier

Charter Amendment (Third Draft) to add Section 8A.114 to provide that the Board of Supervisors may create "Neighborhood Beautification Districts" by ordinance, require the operation of parking meters on Sundays in specified Neighborhood Beautification Districts, and require that all revenue raised from the Sunday operation and enforcement of parking meters in a Neighborhood Beautification District, less any operational costs for enforcement, be used for pedestrian, street, and neighborhood improvements related to traffic regulation, safety and control in that district.

(Fiscal impact.)

7/12/2005, CONTINUED. Continued to July 19, 2005

Question: Shall this Charter Amendment be SUBMITTED?

Present: Supervisors Alioto-Pier, Peskin

46. 031567 **[Charter Amendment - Establishing an Emergency Health Care Services Fund and baseline funding for the Fund]**

Supervisor Daly

Charter Amendment (Fourth Draft) to add Section 16.126 to increase the fiscal authority of the Health Commission and establish a stable baseline funding level for the Department of Public Health to ensure the continued operation of San Francisco public health services.

9/23/2003, SUBSTITUTED to Board of Supervisors. Supervisor Daly submitted a substitute Charter amendment bearing new title.

11/4/2003, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Supervisor Daly, seconded by Supervisor Ammiano, moved an amendment of the whole. (Third Draft)

11/4/2003, CONTINUED AS AMENDED. Continued to November 18, 2003 with the Board Sitting as a Committee of the Whole.

11/18/2003, RE-REFERRED.

7/12/2005, CONTINUED. Continued to July 19, 2005

Question: Shall this Charter Amendment be SUBMITTED?

Present: Supervisors Alioto-Pier, Mirkarimi

47. 050929 **[Charter Amendment - MTA budget to be accountable to Mayor and Board of Supervisors; shared jurisdiction; compliance with voter-approved ordinances; Controller to administer MTA quality review]**

Supervisor Sandoval

Charter Amendment (Second Draft) to amend Sections 8A.102, 8A.106, and 8A.107, to provide that: the Municipal Transportation Agency's budget shall be subject to the City's normal budget process; the Municipal Transportation Agency shall be subject to regulation by the Board of Supervisors; the Municipal Transportation Agency must comply with voter-approved ordinances; and, the Controller, rather than the Agency, shall administer the biennial municipal transportation quality review survey and study.

7/12/2005, CONTINUED. Continued to July 19, 2005

Question: Shall this Charter Amendment be SUBMITTED?

From the Rules Committee and the Committee of the Whole

48. 050817 [Designating rent credits as "public monies" for purposes of Fiscal Feasibility Ordinance.]
Supervisors Peskin, Maxwell, Alioto-Pier, Mirkarimi

Ordinance amending the San Francisco Administrative Code by amending Sections 29.1, 29.3, and 29.7, to: include rent credits as "public monies" for purposes of the Fiscal Feasibility Ordinance; require additional information from applicants for environmental review; suspend application to certain projects undergoing environmental review, and, bar City departments from extending current Exclusive Right to Negotiate agreements until fiscal feasibility review has been successfully completed.

6/21/2005, PASSED ON FIRST READING.

6/28/2005, AMENDED.

6/28/2005, PASSED ON FIRST READING AS AMENDED. July 1, 2005 Amendment of the whole bearing new title. This matter will be considered at the July 12, 2005 with the Board Sitting as a Committee of the Whole.

7/12/2005, AMENDED.

7/12/2005, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Ammiano, Elsbernd, Ma, McGoldrick

49. 051134 **[Plan to spend additional funds from Human Services Care Fund]**

Mayor

Resolution submitting plan from the Human Services Agency explaining how it intends to spend revenues received by the Human Services Care Fund in excess of $11.9 million authorized by the Fund.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Elsbernd, Daly

50. 051045 **[Appropriate proceeds from the sale of bonds and the Water Enterprise's Fund Balance to fund the SFPUC Water System Improvement Program for fiscal year 2005-06 and the first six-months of fiscal year 2006-07]**

Mayor

Ordinance appropriating $153,981,000 for project activities and $6,789,188 for program management services of bond sales proceeds, and $1,000,000 of the Water Enterprise's Fund Balance totaling $161,770,188 to fund the San Francisco Public Utilities Commission's (SFPUC) Water System Improvement Program for fiscal year 2005-06 and the first six-months of fiscal year 2006-07.

(Fiscal impact.)

Supervisor Daly dissented in committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

51. 050973 **[Professional services agreement to provide geotechnical and tunnel engineering services]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute a professional services agreement with Jacobs Associates for an amount not to exceed $14,800,000 to provide geotechnical and tunnel engineering services for the Bay Division Pipelines Reliability Upgrade Project.

(Public Utilities Commission)

(Fiscal impact.)

Supervisor Daly dissented in committee.

Question: Shall this Resolution be ADOPTED?

52. **050974** **[Program/Project/Pre-Construction Management Services for the Water System Improvement Program]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to award and execute a professional services agreement with Parsons Water and Infrastructure Inc. (as guaranteed by Parsons Corporation) for an amount not to exceed $38,000,000 to provide Program/Project/Pre-Construction Management Services for the San Francisco Water System Improvement Program.

(Public Utilities Commission)

(Fiscal impact.)

Supervisor Daly dissented in committee.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

53. 050086 **[Public Hearing - 22nd Street Vacation between Arkansas and Connecticut Streets]**
Hearing of persons interested in or objecting to the proposed ordinance ordering the vacation of the 22nd Street right-of-way between Arkansas and Connecticut Streets subject to reservations of certain utility easements in the vacated area; authorizing the sale of a portion of the vacated street area pursuant to the terms of an agreement for sale of real estate; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the Priority Policies of Planning Code Section 101.1; and authorizing official acts in connection with this ordinance.
(Clerk of the Board)

Action:_____

Recommendation of the Land Use Committee

Present: Supervisors Maxwell, McGoldrick, Peskin

54. 050085 **[Ordering vacation of 22nd Street between Arkansas and Connecticut Streets]**
Ordinance ordering the vacation of the 22nd Street right-of-way between Arkansas and Connecticut Streets subject to reservations of certain utility easements in the vacated area; authorizing the sale of a portion of the vacated street area pursuant to the terms of an agreement for sale of real estate; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the Priority Policies of Planning Code Section 101.1; and authorizing official acts in connection with this ordinance.
(Real Estate Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 4:30 P.M.

APPEAL PROCEDURES
Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

55. **051226** **[Public Hearing - Appeal of Final Mitigated Negative Declaration for 800 Brotherhood Way]**
Hearing of persons interested in or objecting to the decision of the Planning Department, certified on May 19, 2005, approving a Final Mitigated Negative Declaration (Case No. 2003.0536E), for the proposed construction of up to 182 dwelling units on an approximately 7.7 acre undeveloped site located on the north side of Brotherhood Way, west of Chumasero Drive, east of Lake Merced Boulevard. The project would involve subdividing the site into about 121 lots and constructing 60 single-family homes and 61 2-unit dwellings. The 121 buildings would be between 3 and 4 stories tall, with heights up to 40 feet, and would total about 444,273 gross square feet. A mix of independently accessible and tandem parking spaces would be provided, for a total of 364 off-street parking spaces. Twenty-one on-street parking spaces would also be created along a new two-way internal private loop road. Access to the site would be via a new driveway on the unimproved portion of the north side of Brotherhood Way abutting the site. There would be a traffic signal at the new access driveway and Brotherhood Way intersection that would be interconnected with the existing signals at Brotherhood Way/School (Church) Access Road, located about 330 feet to the west, and the Chumasero Drive/Brotherhood Way intersection, about 560 feet to the east. The project site is located in an RM-1 (Mixed Residential, Low Density) District and a 40-X Height and Bulk District. The proposed project would require approval of a Conditional Use Authorization for a Planned Unit Development and exceptions for minimum lot sizes, minimum rear yards depths, and bay window dimension. (Appellants: June 17, 2005, filed by Julian P. Lagos on behalf of ParkMerced Residents Association; June 20, 2005, filed by Adena Rosmarin on behalf of Lakeshore Acres Improvement Club.)
(Companion measure to Files 051227, 051228, 051229; District 7.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the final negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

56. 051227 **[Affirming adoption of the negative declaration for 800 Brotherhood Way]**
Motion affirming Planning Commission adoption of the final negative declaration for 800 Brotherhood Way.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

57. 051228 **[Reversing adoption of the negative declaration for 800 Brotherhood Way]**
Motion reversing the Planning Commission adoption of the final negative declaration for 800 Brotherhood Way.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

58. 051229 **[Preparation of findings to reverse adoption of the negative declaration for 800 Brotherhood Way]**
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the negative declaration for 800 Brotherhood Way.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Government Audit and Oversight Committee at a Special Meeting on Monday, July 18, 2005 at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, July 19, 2005.

59. 051196 **[Service Agreement and Property Use License for Towing, Storage and Disposal of Abandoned and Illegally Parked Vehicles]**
Supervisor Peskin
Resolution approving the service agreement and property use license for towing, storage, and disposal of abandoned and illegally parked vehicles by and between the City and County of San Francisco and TEGSCO, LLC, d.b.a. San Francisco AutoReturn.

Question: Shall this Resolution be ADOPTED?

The following items will be considered by the City Operations and Neighborhood Services Committee at a Regular Meeting on Monday, July 18, 2005 at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, July 19, 2005.

60. 051221 [Community Benefit Districts]

Supervisor Peskin

Resolution authorizing the Mayor to cast assessment ballots on behalf of the City and County of San Francisco as the owner of parcels of real property that are subject to assessment, except for parcels under the exclusive jurisdiction of the Port Commission or Municipal Transportation Agency, in the following proposed property and business improvement districts: Fisherman's Wharf Community Benefit District, North of Market/Tenderloin Community Benefit District, Noe Valley Community Benefit District and Castro/Upper Market Community Benefit District.

7/12/2005, RE-REFERRED.

Question: Shall this Resolution be ADOPTED?

61. 051056 [STOP Intersections]

Supervisor Elsbernd

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Haight and Shrader Street, stopping Haight Street at Shrader Street, making this an All-Way STOP;
Gladstone Drive at Maynard Street, stopping Gladstone Drive at Maynard Street;
Christopher and Warren Drives, stopping Christopher Drive approaching Warren Drive, the stem of this T-intersection;
Bryant and Ritch Streets, stopping Ritch Street at Bryant Street, the stem of this T-intersection;
Bryant and Zoe Streets, stopping Zoe Street at Bryant Street, the stem of this T-intersection;
16th Avenue at Moraga Streets, stopping southbound 16th Avenue at Moraga Street, making this T-intersection an All-Way STOP;
San Aleso Avenue at Darien Way, making this 2-Way STOP-controlled intersection an All-Way STOP;
San Aleso Avenue at Upland Drive, stopping the southbound direction of San Aleso Avenue; and,
Manor Drive at Upland Drive, stopping Manor Drive at Upland Drive, making this uncontrolled intersection a 2-Way STOP.
(Parking and Traffic Department)

(6/3/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3012.)

Question: Shall this Resolution be ADOPTED?

62. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

63. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 64 through 78

64. 051289 **[Accept-Expend Regional Grant - Department of the Environment]**
Supervisor Maxwell
Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $15,400.00 from Altamont Education Advisory Board to expand recycling and lunchroom composting programs at schools in San Francisco.

7/12/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

65. 051290 **[Commending Julia Kavanagh]**
Supervisor Maxwell
Resolution commending Julia Kavanagh for her dedication and exemplary service to the community and proclaiming July 13, 2005 as Julia Kavanagh Day in San Francisco.

7/12/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

66. 051291 **[Promoting African-American Tourism]**
Supervisor Maxwell
Resolution promoting African-American tourism into San Francisco and encourages tourism as a development tool for targeted neighborhoods.

7/12/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

67. 051296 [New grant from the California Department of Health Services, TB Control, for bioterrorism preparedness and regional civil detention of persistently non-adherent tuberculosis patients]

Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a new grant in the amount of $995,759 from the California Department of Health Services, TB Control Unit (CDHSTB) for the bioterrorism preparedness and dual use project for regional civil detention of persistently non-adherent tuberculosis patients, and to enter into an agreement for the use of these funds; for the period of April 27, 2005, to January 1, 2013.

7/12/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

68. 051297 [Accept-Expend Corporate Grant - Department of the Environment]

Supervisor Ma

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $61,223.20 from Air Products and Chemicals, Incorporated (Inc.) for completion of site work for a hydrogen fueling station.

7/12/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

69. 051298 [Accept-Expend Regional Grant - Department of the Environment]

Supervisor Maxwell

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $20,000 from the Environmental Protection Agency for its Bayview Hunters Point Community Air Monitoring Project (Bay-CAMP) in San Francisco's Bayview Hunters Point community.

7/12/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

70. 051299 [Redevelopment Agency - Public Records Policy, Control of New Off-Sale Liquor Establishments, Control of Formula Retail Uses]

Supervisor Mirkarimi

Resolution urging the Redevelopment Agency to establish a public records policy based on the San Francisco Sunshine Ordinance, to take appropriate steps to control new off-sale liquor establishments along Fillmore Street, and to control formula retail uses in the Western Addition Redevelopment Project Area A-2.

7/12/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

71. 051300 [Commending Le Video on their 25th Anniversary]

Supervisors Mirkarimi, Elsbernd

Resolution commending Le Video on the occasion of their 25th anniversary of providing San Francisco with an unparalleled selection of the world's cinema.

7/12/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

72. 051301 **[Commending Nihonmachi Little Friends]**

Supervisor Mirkarimi

Resolution commending Nihonmachi Little Friends on the occasion of the unveiling of their 30th Anniversary Mural.

7/12/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

73. 051302 **[State Bar of California 78th Annual Meeting]**

Supervisor Sandoval

Resolution urging the State Bar of California to reconsider its decision to have Kenneth Starr as a featured speaker at its 78th Annual Meeting in San Diego.

7/12/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

74. 051303 **[Recognizing the rededication of the Excelsior Branch of the San Francisco Public Library and commending the friends of the San Francisco Public Library for their commitment and efforts]**

Supervisor Sandoval

Resolution recognizing the rededication of the Excelsior Branch of the San Francisco Public Library and commending the Friends of the San Francisco Public Library for their commitment and efforts.

7/12/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

75. 051304 **[Apply for Regional/State Grant - Department of the Envrironment]**

Mayor

Resolution authorizing the Department of the Environment to apply for grant funds in the amount of $726,400 from the Bay Air Quality Management District for the purpose of implementing programs to improve air quality.

7/12/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

76. 051283 **[Needle Exchange Emergency]**

Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

7/12/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

77. 051288 [Emergency Disadvantaged Business Enterprise Program - July 26, 2005, Committee of the Whole]

Supervisor Ma

Motion for the Board of Supervisors to convene as a committee of the whole on July 26, 2005, at 4:00 p.m. to accept public testimony concerning the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

7/12/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

78. 051306 [Restoring HIV/AIDS funding to the FY 03-04 spending level; authorizing the backfill of Ryan White CARE Act reductions for federal FY 06-07; requiring the development of an expenditure plan; reserving nine months of funding pending Board approval]

Supervisor Daly

Motion amending the motion to approve the budget to restore HIV/AIDS services funding to the FY 03-04 actual expenditure level by adding up to $6.2 million from any lawful source, authorizing the backfill of potential Ryan White CARE Act reductions in FY 06-07, requiring an expenditure plan; placing nine months on reserve.

7/12/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

79. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from July 5, 2005 through July 11, 2005, for reference by President to appropriate committee on July 19, 2005.
None.

PROPOSED RESOLUTIONS

Proposed resolutions received from July 5, 2005 through July 11, 2005, for reference by President to appropriate committee on July 19, 2005.

051239 **[Lease of Real Property at One South Van Ness Avenue]**
Resolution authorizing the exercise of an option to lease 66,351 square feet of space on the fifth floor at One South Van Ness Avenue for the Mayor's Office of Housing and the Mayor's Office of Community Development and authorizing a 39,644 square foot sublease of such area to the San Francisco Redevelopment Agency.
(Real Estate Department)

7/11/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051256 **[Sale of Surplus Property located at Manzano Way at Oak Creek Way in the City of Sunnyvale, Santa Clara County]**
Resolution approving the public auction sale of unimproved surplus real property located on Manzano Way at Oak Creek Way in the City of Sunnyvale, Santa Clara County for a purchase price of $690,000; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution.
(Real Estate Department)

7/8/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051331 **[Petitions and Communications]**

Petitions and Communications received from July 5, 2005 through July 11, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on July 19, 2005.

From Department of Public Works, reporting that the Richard Gamble Memorial Park is under the jurisdiction of the Municipal Railway and that work is currently underway to groom the park. (Reference No. 20050607-002) Copy: Supervisor Mirkarimi (1)

From Daniel Kahn, submitting request for a type 42 liquor license for "Bargain Bank" located at 566 Minnesota Street. (2)

From Fire Department, submitting list of sole source contracts entered into in fiscal year 2004-05. (3)

From S.F. Gray Panthers, submitting support for proposed legislation regarding Single Standard of Care. File 051030, Copy: Each Supervisor (4)

From Juvenile Probation Commission, submitting response to the Grand Jury's report on the Juvenile Probation Department. (5)

From concerned citizens, submitting support for proposed vacation of 22nd Street right-of-way between Arkansas and Connecticut Streets. File 050085, Copy: Each Supervisor (6)

From State Department of Parks and Recreation, announcing the John Spencer House was placed on the National Register of Historic Places. (7)

From Office of the Controller, submitting the semi-annual fiscal year 2004-05 Debarment report. (8)

From Sunshine Ordinance Task Force, submitting support for resolution condemning the homophobic and misogynistic public remarks by the Executive Director and members of the Residential Builders Association of San Francisco. File 050655 (9)

From Office of the District Attorney, concerning fees collected for the First Offender Prostitution Program. (Reference No. 20050607-008) Copy: Supervisor Mirkarimi (10)

From Office of the Treasurer, submitting investment activity (for fiscal year to date) of the portfolios under management. (11)

From Clerk of the Board, regarding gifts received by the department in fiscal year 2004-05. (12)

From Fire Department, submitting recommendations for improving the oversight and maintenance of neighborhoods and the environment in and around the surrounding neighborhoods of Sutro Tower. (13)

From War Memorial and Performing Arts Center, submitting list of sole source contracts entered into in fiscal year 2004-05. (14)

From Louis Dillon, submitting support for a horse carriage concession service for Louis Dillon at the De Young Museum. (15)

From Redevelopment Agency, regarding repair of a broken light in Mini-Park near 1111 Buchanan Street. (Reference No. 20050621-006) Copy: Supervisor Mirkarimi (16)

From Immigrant Rights Commission, submitting resolution concerning budget cuts on the implementation of the Equal Access to Services Ordinance and a resolution condemning the 49ers training video. Copy: Each Supervisor (17)

From Clerk of the Board, submitting notice that the Clerk of the Board's Office has received a report from the San Francisco Civil Grand Jury entitled "Continuity Report" released on July 5, 2005. Copy: Each Supervisor (18)

From the National Center on Addiction and Substance Abuse at Columbia University, submitting support for a proclamation supporting "Family Day" a day to eat dinner with your children. Copy: Each Supervisor (19)

Number not used. (20)

From concerned citizens, submitting support for docking the USS Iowa in San Francisco. File 051113, Copy: Each Supervisor (21)

From Berenice Palmer, submitting opposition to any budget cuts for the Friends of the Urban Forest. (22)

From concerned citizens, submitting opposition to proposed ordinance authorizing department heads to accept and expend donations from recognized non-profit organizations without full oversight and public input. File 051138 (23)

From Department of Administrative Services, submitting list of sole source contracts for departments/divisions under the City Administrator and Administrative Service for fiscal year 2004-05. Copy: Sunshine Ordinance Task Force (24)

From Office of the City Attorney, responding to appellant's June 29, 2005 letter concerning rejection of a Conditional Use Appeal for 800 Brotherhood Way. File 051234, Copy: Each Supervisor (25)

From Eileen Broken, submitting opposition to the provisions in File 050492 regarding the elimination of advertising in the City's official newspaper. File 050492 (26)

From Eileen Broken, submitting opposition to proposed Street Resurfacing, Pedestrian Safety and Access Improvement Bond Special Election. File 050932 (27)

From Department of Building Inspection, regarding issuance of a building permit for approval of a minor sidewalk encroachment permit at 11 Castenada Avenue. File 050908, Copy: Each Supervisor (28)

From Aaron Hazlewood, submitting support for a quality skateboard park in San Francisco. (29)

From Rebecca Ness, submitting notice that she paid for a parking ticket one year ago and is still getting notices asking for payment from the Department of Parking and Traffic. Copy: Department of Parking and Traffic (30)

From Supervisor Peskin, submitting appointment of Supervisor Elsbernd to fill the current vacancy on the Health Service Board, effective immediately. (31)

From Juvenile Probation Department, submitting notice that the Juvenile Probation Department did not enter into any sole source contracts in fiscal year 2004-05. (32)

From Department of Human Resources, submitting the Annual Salary Ordinance (ASO) for the fiscal year ending June 30, 2006. (33)

From Morrison and Foerster, regarding appeal of Final Negative Declaration for property located at 800 Brotherhood Way. File 051226, Copy: Each Supervisor (34)

From concerned citizens, submitting opposition to proposal to initiate a fee for driving downtown. (35)

From concerned citizens, submitting opposition to the new smoking ban in San Francisco. Copy: Each Supervisor (36)

From concerned citizens, submitting support for proposed Charter amendment regarding standards for Ethics Commissioners. File 050925, Copy: Rules Committee member's (37)

From concerned citizens, commenting on the City Controller's 2005 City Survey giving San Francisco a C+ for city services. (38)

From concerned citizens, concerning the alleged bedbug epidemic at the el-capitan hotel located at 2361 Mission Street. Copy: Supervisor Ammiano (39)

From Richard Skaff, regarding a constituent being denied entrance to the zoo because he needed an electric two-wheeled scooter to get around. (40)

From Phoebe Williams, commenting on proposed legislation regarding vicious and dangerous dogs. (41)

From David Nelson, submitting opposition to proposed San Francisco Gun-Ban Referendum. (42)

From California Department of Child Support Services, submitting notice that the Department of Child Support Services is again participating in an offset of the Permanent Fund Dividend payments distributed to non-custodial parents who are qualified Alaskan residents. (43)

From Paul Wilds, submitting his concern with the illegal fireworks that were set off across the City on the evening of July 4. Copy: Supervisor Daly (44)

From Kenneth Dueker, regarding the SF Environmentally Preferable Purchasing for Commodities Ordinance. File 050595 (45)

From Andrea Alvarado, regarding why the Green Cross medical marijuana dispensary should remain open. File 051250, Copy: Each Supervisor (46)

From Robert Treanor, submitting notice of availability of a draft supplemental environmental document relative to proposed 2005-06 commercial herring fishing regulations. (47)

From Office of the Controller, submitting the Controller's Annual Report of Municipal Code-Mandated Fee Reviews and Schedules for fiscal year 2005-06. (48)

From Office of the City Administrator, submitting report on surplus City real property, along with maps, zoning and adjacent City property information. (49)

ADJOURNMENT

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, July 26, 2005 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Ammiano, Mirkarimi, Elsbernd, Ma, McGoldrick	Thursday 1:00 PM
Budget and Finance Subcommittee Supervisors Ammiano, Mirkarimi, Elsbernd	Thursday 11:00 AM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns, Delegate Wong	2nd Monday (Bi-Monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Peskin, Elsbernd, Daly	2nd and 4th Monday 1:00 PM
Land Use Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Alioto-Pier, Mirkarimi, Peskin	Wednesday 10:00 AM

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First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Meeting Minutes for June 28, 2005.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 29

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd, Ma, McGoldrick

1. 050983 **[Clarifying that the Bureau of Delinquent Revenue is authorized to add costs incurred in collecting money owed to the city to the original charge and to collect those costs from the debtor]**

Mayor

Ordinance amending Chapter 10, Article V of the San Francisco Administrative Code by amending Section 10.41-1 to authorize the Bureau of Delinquent Revenue Collection to collect costs incurred in collecting claims for money owed to the City, to add those costs to the original charge and to collect those costs from the debtor.

7/12/2005, CONTINUED. Continued to July 19, 2005

7/19/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. 050984 [Increasing fees for certain services provided by the Medical Examiner]

Mayor

Ordinance making environmental findings, and amending San Francisco Administrative Code Section 8.14, to increase the fees for forensic non-medical examiner or outside county autopsy, disaster bags, removal of remains, and storage of remains.

7/12/2005, CONTINUED. Continued to July 19, 2005

7/19/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 050985 [Patient Rates]

Mayor

Ordinance amending Section 128 of the San Francisco Health Code to set patient rates and other services provided by the Department of Public Health, effective July 1, 2005.

7/12/2005, CONTINUED. Continued to July 19, 2005

7/19/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 050986 [Public Works Code occupancy assessment fees for various encroachments]

Mayor

Ordinance amending the Public Works Code to amend Section 723.2 to adopt a public right-of-way occupancy assessment fee for minor sidewalk encroachments, to amend Section 724.1 to modify the public right-of-way occupancy assessment fee for temporary street occupancy permits; and to add Section 786.7 to adopt a public right-of-way occupancy assessment fee for street encroachments; and making environmental findings.

7/12/2005, CONTINUED. Continued to July 19, 2005

7/19/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Ammiano, Elsbernd, Ma, McGoldrick

5. 050989 [Recreation and Park – Tiny Tots Fees]

Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding Section 12.35 to standardize the Department's Tiny Tot/Child Development Program's curriculum and associated fee schedule.

7/12/2005, CONTINUED. Continued to July 19, 2005

7/19/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

6. 050990 **[Recreation and Park Department – Athletic Field Permit Fees for Adults]**

Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding Section 12.36 to increase the fees for use of the athletic fields by adults.

7/12/2005, CONTINUED. Continued to July 19, 2005

7/19/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

7. 050991 **[Recreation and Park – Aquatic Fees]**

Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding Section 12.34 establishing the fee structure for use of aquatic facilities and for related aquatic activities.

7/12/2005, CONTINUED. Continued to July 19, 2005

7/19/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

8. 050992 **[Lake Merced Fees – Boat Storage]**

Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding San Francisco Park Code Section 12.38 to establish boat storage fees.

7/12/2005, CONTINUED. Continued to July 19, 2005

7/19/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9. 050999 **[Arts Commission Special Funds]**

Mayor

Ordinance amending Article XIII of the San Francisco Administrative Code by amending Sections 10.100-28, 10.100-30 and 10.100-34 to redesignate the Arts Commission Market Street Art Maintenance Fund and the Arts Commission Youth Arts Fund as sub-accounts of the Arts Commission Public Arts Fund.

7/12/2005, CONTINUED. Continued to July 19, 2005

7/19/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10. 051000 [Board of Appeals Surcharge]

Mayor

Ordinance (1) amending Section 10G.1 of the San Francisco Administrative Code to add a Board of Appeals surcharge for tobacco retailer's permits issued pursuant to San Francisco Health Code Section 1009.53, (2) amending Section 10G.1 to adjust the surcharges for permits and annual license renewals issued pursuant to San Francisco Police Code Sections 2.26, 2.27 and 2.27.1, and (3) making findings pursuant to the California Environmental Quality Act, Public Resources Code Section 21080(b)(8)(A), that the new Board of Appeals Surcharge and adjustments to existing Board of Appeals surcharges are not a "project" and that such surcharges are imposed for the purpose of meeting operating expenses of the Board of Appeals, including employee wage rates, fringe benefits and other direct and indirect overhead charges attributable to administrative appeals to the Board of Appeals pursuant to Charter Section 4.106.

7/12/2005, CONTINUED. Continued to July 19, 2005

7/19/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Ammiano, Elsbernd, McGoldrick

11. 050993 [Providing for waiver of fees and changing fees for Emergency Medical Services and making environmental findings]

Mayor

Ordinance amending Article 3 of the Health Code by adding Section 120.1 to require the San Francisco Fire Department to waive fees for Emergency Medical Services upon a showing that all persons legally obligated to pay have insufficient income to pay the bill without undue hardship and the patient is not covered by insurance; and amending Section 128.1, to create a fee for providing service to a patient without transporting the patient, to increase the base rate fees for both Basic Life Service and Advanced Life Service, to increase the fee for mileage, to eliminate the fee for night service, to substitute a flat fee for supplemental supplies in place of fees for individual supplies used to treat each patient, to amend the language regarding changes in fees in subsequent years to fix typographical errors, to eliminate the provision by which the San Francisco Fire Department could add charges for additional supplies, and to make environmental findings.

7/12/2005, CONTINUED. Continued to July 19, 2005

7/19/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

12. 050994 [Increasing Fire Department Fees For Service]

Mayor

Ordinance amending Sections 106.8, 106.9, 106.11, 106.15, 106. 17, and Table 106B of the San Francisco Fire Code to increase the San Francisco Fire Department's fees for high rise inspection, plan review, pre-application plan review, overtime, and water flow requests, to become operative on its effective date or on July 1, 2005 whichever is later, and making environmental findings.

7/12/2005, CONTINUED. Continued to July 19, 2005

7/19/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Ammiano, Mirkarimi, Elsbernd, Ma, McGoldrick

13. 051001 **[Making Environmental Findings and Establishing the Community Courts Program and Administrative Fee]**

Mayor

Ordinance making required environmental findings; amending section 10.100-95 of the Administrative Code to provide that monies collected from participants in the Community Court Program to settle disputes or dismiss charges be deposited in the Mayor's Community Support Fund and make other technical amendments; amending section 10.100-295 of the Administrative Code to designate the Mayor's Office of Criminal Justice as administrator of the Dispute Resolution Program and Fund and to designate the Mayor's Office of Criminal Justice and the District Attorney's Office as administrators of the Community Courts Program; and to add section 10.183 to the Administrative Code to establish and authorize the District Attorney to collect a Community Court Program Administrative Fee to recover the City's costs for the District Attorney to participate in the operation of the Community Courts Program.

7/12/2005, CONTINUED. Continued to July 19, 2005

7/19/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

14. 051002 **[Establishing Mayor's Office on Disability administrative fees for plan reviews and site inspections]**

Mayor

Ordinance making environmental findings and amending the San Francisco Administrative Code by adding a new section 2A.22.1 establishing Mayor's Office on Disability administrative fees for plan reviews and site inspections.

7/12/2005, CONTINUED. Continued to July 19, 2005

7/19/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Ammiano, Mirkarimi, Elsbernd, McGoldrick

15. 051004 **[Recovery of the City's costs of emergency response to incidents resulting from the negligent operation of a motor vehicle, boat or vessel by a person under the influence of alcohol or drugs]**

Mayor, Supervisors Ma, Mirkarimi

Ordinance adding Chapter 10H to the San Francisco Administrative Code authorizing the City to recover the costs of emergency response to incidents resulting from negligent operation of motor vehicles, boats or vessels by persons under the influence of alcohol or drugs, and the costs of emergency response to incidents caused by individuals' intentionally wrongful conduct; defining emergency response for the purpose of this chapter; providing for the establishment by ordinance of the standard, hourly charges for personnel and equipment used in emergency response to such incidents; and directing the Police Department, Fire Department and the Health Department to coordinate with designated City officials to prepare and deliver invoices to the persons responsible for the costs of the City's emergency response to such incidents.

7/12/2005, CONTINUED. Continued to July 19, 2005

7/19/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Ammiano, Mirkarimi, Elsbernd, Ma, McGoldrick

16. 050917 [Planning Department fee increases and permit surcharge to cover costs of appeals to the Board of Supervisors]

Supervisor Peskin

Ordinance amending the San Francisco Planning Code by amending Sections 352 and 355 and by amending the San Francisco Administrative Code by amending Section 31.22 to increase planning fees and add a surcharge to compensate the City for the costs of appeals to the Board of Supervisors; making environmental findings.

7/12/2005, CONTINUED. Continued to July 19, 2005

7/19/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

17. 051027 [Entertainment Commission Permits, Licenses and Fees]

Mayor

Ordinance (1) amending the San Francisco Police Code by amending Sections 2.2, 2.9, 2.25, 2.26, 2.27, 2.31, 43, 43.2, 48 1037.2, and adding Sections 1060.1-1 and 1070.1-1, to (i) increase the application fees for Place of Entertainment permits and permits for Extended Hours Premises, and the annual license fees for Places of Entertainment and Mechanical Amusement Devices, to defray the City's annual costs of Entertainment Commission operations attributable to such permitted businesses, (ii) eliminate distinctions between commercial and non-commercial uses for purposes of loudspeaker permits (iii) and to make technical amendments and corrections, as specified; (2) amending the San Francisco Business and Tax Regulations Code by amending Sections 1.1, 1.2, 1.3, 1.51, 8, and 23. and adding Sections 249.17, 249.18, and 249.19, to make technical amendments and corrections in conformity with the amendments to the Police Code; and (3) making findings pursuant to the California Environmental Quality Act, Public Resources Code Section 21080(b)(8)(A), that the adjustments to the fees are not a "project" and that such fees are imposed for the purpose of meeting operating expenses of the Entertainment Commission and Police Department, including employee wage rates, fringe benefits and other direct and indirect overhead charges attributable to such entertainment-related permits and annual licenses.

7/12/2005, CONTINUED. Continued to July 19, 2005

7/19/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

18. 051133 [Repealing Revolving Fund for Commission on the Status of Women]

Mayor

Ordinance amending the Administrative Code by repealing section 10.169-11 to eliminate the Commission on the Status of Women's revolving fund.

7/12/2005, CONTINUED. Continued to July 19, 2005

7/19/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

19. 051135 **[Requiring City departments to report to the Board of Supervisors each quarter on those appropriations items where the department is spending at a rate that would exhaust the appropriation before the end of the fiscal year]**

Mayor

Ordinance amending the San Francisco Administrative Code by adding Section 10.19-5, to require City departments to report to the Board of Supervisors each quarter on those appropriations items where the department is spending at a rate that would exhaust the appropriation before the end of the fiscal year.

7/12/2005, CONTINUED. Continued to July 19, 2005

7/19/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

20. 051136 **[Establishing the San Francisco City Services Preservation Fund to receive donations from employees and private donors in order to offset the City's deficit and preserve City services]**

Mayor

Ordinance amending the San Francisco Administrative Code by adding Section 10.100-290, to establish the San Francisco City Services Preservation Fund to receive donations from employees and private donors in order to offset the City's deficit and preserve City services.

7/12/2005, CONTINUED. Continued to July 19, 2005

7/19/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

21. 051139 **[Authorizing the Sheriff and Police Departments to implement a booking fee and seek State reimbursement; providing for cost recovery]**

Mayor

Ordinance amending the San Francisco Administrative Code by adding Section 8.27-1, to authorize the Sheriff and Police Departments to implement a booking fee and seek State reimbursement and to direct the Controller to provide for full cost recovery between the departments.

7/12/2005, CONTINUED. Continued to July 19, 2005

7/19/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

22. 051057 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

BICYCLE LANES - ESTABLISH
Bayshore Boulevard, southbound, between Industrial Street and Silver Avenue.

BICYCLE LANES - ESTABLISH
John Muir Drive, both sides, between Lake Merced Boulevard and the east property line of the Lakewood Apartments.

NO LEFT TURN ON RED, 6 AM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Fremont Street, northbound, at Howard Street

ONE-WAY (NORTHBOUND) TRAFFIC DESIGNATION - RESCIND
Arago Street, between Havelock and Paulding Streets

NO LEFT TURN - ESTABLISH
Westbound Paulding Street to southbound Arago Street (makes existing regulations permanent)

NO RIGHT TURN - ESTABLISH
Eastbound Paulding Street to southbound Arago Street (makes existing regulations permanent)

RIGHT LANE MUST TURN RIGHT EXCEPT BUSES - ESTABLISH
Geary Boulevard, westbound, at Presidio Park Boulevard
(Parking and Traffic Department)
(6/3/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3012.)

Question: Shall this Resolution be ADOPTED?

23. 051058 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Rhode Island Street, east side, from 17th Street to 190 feet northerly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Bayshore Boulevard, west side, from Industrial Street to Silver Avenue (to allow installation of bicycle lanes).

UNMETERED MOTORCYCLE PARKING - ESTABLISH
49-51 and 55 Norfolk Street, between the driveways of 49-51 and 55 Norfolk Street (12-foot space accommodating 2 motorcycle spaces).

RESIDENTIAL PERMIT PARKING AREA "I" (1-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
2700 and 2730 Mission Street, between 23rd and 24th Streets (adds specific addresses only, no signs will be posted on this block).

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Moraga Street, both sides, between 12th Avenue and Funston Street (600 Block).

2-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, EXCEPT SUNDAY - ESTABLISH
Kansas Street, east side, between 16th and 17th Streets (300 Block).
(Parking and Traffic Department)
(6/3/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3012.)

Question: Shall this Resolution be ADOPTED?

24. 051186 **[STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Bocana Street, Wool Street and Powhattan Avenue, installing STOP signs at the Bocana Street, Wool Street and Powhattan Avenue approaches, making this a Three-Way STOP;
Peter Yorke Way and Post Street, stopping Peter Yorke Way at Post Street;
21st and Hampshire Streets, stopping 21st Street at Hampshire Street, making this intersection an All-Way STOP;
Boylston and Sweeny Streets, stopping Boylston Street at Sweeny Street, making this intersection an All-Way STOP;
Barneveld and Sweeny Streets, stopping Sweeny Street at Barneveld Street, making this intersection an All-Way STOP; and,
44th Avenue and Santiago Street, stopping 44th Avenue at Santiago Street, making this intersection an All-Way STOP.
(Parking and Traffic Department)
(6/24/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3023.)

Question: Shall this Resolution be ADOPTED?

25. 051188 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

STREET CLOSURE, 10 AM TO 10 PM, EVERYDAY - RESCIND
STREET CLOSURE, 10 AM TO 2 AM, EVERYDAY - ESTABLISH
Claude Lane, between Bush and Sutter Streets
(Parking and Traffic Department)

(6/24/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3023.)

Question: Shall this Resolution be ADOPTED?

26. 051190 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
26th Street, both sides, between Church and Dolores Streets (3800 Block).

NO PARKING ANYTIME - RESCIND
TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Kimball Street east side, south of Sacramento Street.

UNMETERED MOTORCYCLE PARKING - RESCIND
32nd Avenue, east side, from 215 feet north of Anza Street to 25 feet northerly (leaving 4 motorcycle parking spaces).

NO PARKING ANYTIME - ESTABLISH
Le Conte Circle, both sides, at Le Conte Avenue; and,
Stanyan Street, west side, within the intersection of Hayes Street.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
4th Street, east side, from 42 to 82 feet south of Market Street; and,
Paulding Street, south side, from the Arago Street intersection to 115 feet westerly.

RESIDENTIAL PERMIT PARKING AREA "N" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Fulton Street, north side, between Funston and 10th Avenue (3400, 3500, 3600 blocks).
(Parking and Traffic Department)

(6/24/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3023.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

27. 050705 **[Appointment - Mental Health Board]**

Resolution appointing John Kevin Hines, term ending January 31, 2006, and Thomas Purvis, term ending January 31, 2007, to the Mental Health Board.

John Kevin Hines, succeeding Dennis Yun, resigned, seat 12, must be a consumer, for the unexpired portion of a three-year term ending January 31, 2006.

Thomas Purvis, succeeding Carol Knight, resigned, seat 14, must be a family member, for the unexpired portion a three-year term ending January 31, 2007.

Question: Shall this Resolution be ADOPTED?

28. 051326 **[Appointment - Treasury Oversight Committee]**

Resolution appointing Richard Sullivan, term ending June 5, 2009, to the Treasury Oversight Committee.

Richard Sullivan, succeeding himself, term expired, seat 5, must represent the public at large or must represent the Treasurer, for the unexpired portion of a four-year term ending June 5, 2009.

Question: Shall this Resolution be ADOPTED?

29. 051328 **[Appointment - Arts Task Force]**

Resolution appointing Anjali Nath, term ending November 1, 2005, to the Arts Task Force, residency requirement waived.

Anjali Nath, succeeding Deborah Cullinan, resigned, seat 15, must serve as a director, staff member or board member of a non-profit arts organizations based in San Francisco with an annual budget between $250,000 and one million dollars, for the unexpired portion of a six-month term ending November 1, 2005.

Question: Shall this Resolution be ADOPTED?

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:*_____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd, Ma, McGoldrick

30. 051130 [Government Funding, Fiscal Year 2005-2006]

Mayor

Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2006.

(Fiscal impact.)

(Supervisor McGoldrick Dissenting in Committee)

(Supervisor Mirkarimi Dissenting in Committee on the Annual Appropriation Ordinance for Selected Departments)

7/12/2005, CONTINUED. Continued to July 19, 2005

7/19/2005, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

31. 051131 [Public Employment, Fiscal Year 2005-2006]

Mayor

Consolidated Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2006, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

(Fiscal impact.)

7/12/2005, CONTINUED. Continued to July 19, 2005

7/19/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

32. 050987 **[Golf Fees - Harding Park, Golden Gate Park, McLaren Park]**

Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by amending Sec. 12.12 to increase the fees at Harding Park and Fleming Golf Courses; amending Sec. 12.16 to increase the fees at Golden Gate Park Golf Course; amending Sec. 12.20 to authorize an annual cost of living increase in golf fees; and amending Sec. 12.33 to set a maximum fee for golf cart rentals.

7/12/2005, CONTINUED. Continued to July 19, 2005

7/19/2005, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

33. 051003 **[Repeal of exemption from paying tow and storage fees on stolen vehicles, and waiver of an administrative fee for recovered stolen vehicles owned by residents]**

Mayor

Ordinance repealing San Francisco Administrative Code Section 10C.8-1, which exempts residents of San Francisco from paying tow and storage fees on stolen vehicles, and amending San Francisco Administrative Code Section 10C.1 and San Francisco Traffic Code Section 170.1 to exempt City residents from payment of an administrative fee in connection with the towing and storage of stolen vehicles.

7/12/2005, CONTINUED. Continued to July 19, 2005

7/19/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

34. 051137 **[Prohibiting the Department of Human Services from requiring fingerprint imaging of clients, unless required by grant programs, by state or federal law, by voter initiative, or by the County Adult Assistance Programs]**

Mayor, Supervisor Daly

Ordinance amending the San Francisco Aministrative Code by adding Section 20.30, to prohibit the Department of Human Services from requiring Biometric imaging of clients, unless required by grant programs, by state or federal law, or expressly authorized by vote initiative.

7/12/2005, CONTINUED. Continued to July 19, 2005

7/19/2005, AMENDED. Supervisor Daly requested to be added as a co-sponsor.

7/19/2005, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Elsbernd, Daly

35. 051045 **[Appropriate proceeds from the sale of bonds and the Water Enterprise's Fund Balance to fund the SFPUC Water System Improvement Program for fiscal year 2005-06 and the first six-months of fiscal year 2006-07]**

Mayor

Ordinance appropriating $153,981,000 for project activities and $6,789,188 for program management services of bond sales proceeds, and $1,000,000 of the Water Enterprise's Fund Balance totaling $161,770,188 to fund the San Francisco Public Utilities Commission's (SFPUC) Water System Improvement Program for fiscal year 2005-06 and the first six-months of fiscal year 2006-07.

(Fiscal impact.)

Supervisor Daly dissented in committee.

7/19/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

7/19/2005, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use Committee

Present: Supervisors Maxwell, McGoldrick, Peskin

36. 050085 **[Ordering vacation of 22nd Street between Arkansas and Connecticut Streets]**

Ordinance ordering the vacation of the 22nd Street right-of-way between Arkansas and Connecticut Streets subject to reservations of certain utility easements in the vacated area; authorizing the sale of a portion of the vacated street area pursuant to the terms of an agreement for sale of real estate; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the Priority Policies of Planning Code Section 101.1; and authorizing official acts in connection with this ordinance.

(Real Estate Department)

7/19/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Rules Committee

Present: Supervisors Alioto-Pier, Peskin

37. 031567 **[Charter Amendment - Establishing an Emergency Health Care Services Fund and baseline funding for the Fund]**

Supervisor Daly

Charter Amendment (Fourth Draft) to add Section 16.126 to increase the fiscal authority of the Health Commission and establish a stable baseline funding level for the Department of Public Health to ensure the continued operation of San Francisco public health services.

9/23/2003, SUBSTITUTED to Board of Supervisors. Supervisor Daly submitted a substitute Charter amendment bearing new title

11/4/2003, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Supervisor Daly, seconded by Supervisor Ammiano, moved an amendment of the whole. (Third Draft)

11/4/2003, CONTINUED AS AMENDED. Continued to November 18, 2003 with the Board Sitting as a Committee of the Whole.

11/18/2003, RE-REFERRED.

7/12/2005, CONTINUED. Continued to July 19, 2005

7/19/2005, CONTINUED. Continued to July 26, 2005

Question: Shall this Charter Amendment be SUBMITTED?

NEW BUSINESS

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

38. 050824 [Contract funds to participate in the development of a national violent death reporting system]
Supervisor Maxwell
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement with the California Department of Health Services (CDHS), the primary contractor, and expend funds in the amount of up to $70,000 in order to participate in the development of a national violent death reporting system, and to add one 0.5 position funded under this agreement; for the period of January 1, 2005, through September 29, 2009.

Question: Shall this Resolution be ADOPTED?

39. 050979 [Contract funds to participate in the HIV Prevention Trials Unit Protocol 039 study]
Supervisor Dufty
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement with PHFE Management Solutions (PHFE), the primary contractor, and expend funds in the amount of $51,934 in order to participate in the HIV Prevention Trials Unit Protocol 039 study; for the period of July 1, 2004, to June 30, 2005.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

40. 051048 [Endorsing the bill of rights established by the San Francisco Children of Incarcerated Parents Partnership and urging relevant city agencies to work together towards its implementation]
Supervisors Dufty, Maxwell, Alioto-Pier, Sandoval, Ma, McGoldrick
Resolution endorsing the bill of rights established by the San Francisco Children of Incarcerated Parents Partnership and urging relevant city agencies to work together its implementation to reduce recidivism for parents and improve outcomes for children.

6/14/2005, REFERRED to City Operations and Neighborhood Services Committee. Supervisor Ammiano requested that this matter be severed so that it might be referred to committee.

Supervisors Alioto-Pier and Sandoval requested to be added as co-sponsors.

Question: Shall this Resolution be ADOPTED?

41. 051117 **[Urging the California Public Utilities Commission to order PG&E to pay a substantial fine and to take necessary corrective measures to prevent future indoor substation fires and outages]**
Supervisors McGoldrick, Mirkarimi, Maxwell, Ammiano
Resolution urging the California Public Utilities Commission (CPUC) to require PG&E to take all measures necessary to ensure that PG&E substations are safe and reliable, urging the CPUC to impose a substantial fine on PG&E for allowing unsafe and unreliable conditions to develop and persist at the Mission Substation, and calling on PG&E to compensate all persons, businesses and governmental entities that suffered economic harm as a result of any PG&E electrical outages.

6/14/2005, REFERRED to City Operations and Neighborhood Services Committee. Supervisor Ma requested that this matter be severed so that it might be referred to committee.

Question: Shall this Resolution be ADOPTED?

From the Government Audit and Oversight Committee Without Recommendation

Present: Supervisors Peskin, Elsbernd

42. 051275 **[Legal Action - Protecting Tenants]**
Supervisor Peskin
Resolution urging the San Francisco City Attorney to file a `friend of the court'/amicus curiae' brief to set forth our city's interest in protecting tenants against wrongful evictions.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

43. 050862 **[Rincon Hill Area Plan Amendments]**
Supervisor Daly
Ordinance amending the San Francisco General Plan by amending the Rincon Hill Area Plan, the Urban Design Element, the Recreation and Open Space Element, the Downtown Plan, the South of Market Area Plan, and the Land Use Index to conform them with proposed Rincon Hill Downtown Residential District; adopting environmental findings that the proposed amendments are consistent with the General Plan and the eight priority policies of Planning Code Section 101.1.
(Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

44. 050741 [Creating a Food Security Task Force]
Supervisors Maxwell, Mirkarimi
Ordinance amending the San Francisco Health Code by adding Sections 470.1 and 470.2, to establish a Food Security Task Force charged with creating a strategic plan to address hunger, enhancing food security, and increasing participation in federally funded programs; requiring preparation of reports and a strategic plan; and including a sunset provision.

Question: Shall this Ordinance be PASSED ON FIRST READING?

45. 051159 [Accept and Expend Gift - Robin and Marsha Williams]
Supervisor Alioto-Pier
Resolution accepting a gift in the amount of $80,000 from Robin and Marsha Williams and authorizing its expenditure to repair and improve a retaining wall and median strip on Seacliff Avenue.

6/21/2005, REFERRED to Rules Committee. Supervisor Sandoval requested that this matter be referred to Committee.

Question: Shall this Resolution be ADOPTED?

46. 050132 [Rules of Order of the Board - Material Economic Impact Legislation]
Supervisor Alioto-Pier
Motion amending the Rules of Order of the Board of Supervisors to add Rule 6.25, which will provide a process for holding public hearings associated with legislation that might have a material economic impact on the City.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:00 P.M.

47. 051243 **[Hearing - "2500 Block of Mission Street Business Improvement District (BID)"]**
Hearing of persons interested in or objecting to proposed resolution establishing a property-based business improvement district to be known as the "2500 Block of Mission Street Business Improvement District (BID)," ordering the levy and collection of assessments against property located in that district for five years, commencing with fiscal year 2005-2006, and making environmental findings.
(Clerk of the Board)

Action:_____

48. 051189 **[Resolution to establish the 2500 Block of Mission Street Business Improvement District]**
Supervisor Ammiano
Resolution establishing a property-based business improvement district to be known as the "2500 Block of Mission Street Business Improvement District (BID)," ordering the levy and collection of assessments against property located in that district for five years, commencing with fiscal year 2005-2006, and making environmental findings.

Question: Shall this Resolution be ADOPTED?

49. 051241 **[Hearing - "Fisherman's Wharf Community Benefit District (CBD)"]**
Hearing of persons interested in or objecting to proposed resolution establishing a property-based business improvement district to be known as the "Fisherman's Wharf Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, subject to conditions as specified, and making environmental findings.
(Clerk of the Board)

Action:_____

50. 051184 **[Resolution to establish the Fisherman's Wharf Community Benefit District]**
Supervisor Peskin
Resolution establishing a property-based business improvement district to be known as the "Fisherman's Wharf Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, subject to conditions as specified, and making environmental findings.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

51. **051287** **[Hearing - Emergency ordinance reenacting a Disadvantaged Business Enterprise Program]**
Hearing to consider the possible adoption of an Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.
(Clerk of the Board)

Action:_____

Committee of the Whole Adjourn and Report Without Recommendation

52. **051286** **[Reenacting a Disadvantaged Business Enterprise Program]**
Supervisor Ma
Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

Question: Shall this Ordinance be FINALLY PASSED?

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

53. 051222 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 899 North Point Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 22, 2005, exempting from environmental review under Categorical Exemption, State CEQA Guidelines Sections 15303(b) and General Rule Exclusion, under CEQA Guidelines Section 15061(b)(3). The proposed project would involve the demolition of a vacant gas station building, approximately 1,650 square feet in size, and construction of a four-story, five-unit residential building. The proposed project would provide seven off-street parking spaces on the ground floor. Entrance and access to the residential units would be from Larkin Street and vehicular entrance and access would be from North Point Street. The project site at 899 North Point Street (Assessor's Block 0026, Lot 020) is approximately 5,469 square feet in size and located on the southeastern corner of North Point and Larkin Streets in the Russian Hill neighborhood on the block bounded by Larkin, North Point, Hyde and Bay Streets. The project site is zoned RH-3 (Residential, House, Three-Family) and is within a 40-X height and bulk district. The project site is also located in the Waterfront Special Use District No. 2, per Section 240.2 of the San Francisco Planning Code. (Appellant: Stephen M. Williams.)

(Filed June 17, 2005; companion measure to Files 051223, 051224, 051225; District 2.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

54. 051223 [Affirming the categorical exemption issued for 899 North Point Street]
Motion affirming the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

55. 051224 [Disapproving the categorical exemption issued for 899 North Point Street]
Motion disapproving the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

56. 051225 [Preparation of findings related to the categorical exemption issued for 899 North Point Street]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:30 P.M.

57. 051270 **[Public Hearing - Appeal of Minor Sidewalk Encroachment for 405 Hill Street]**
Hearing of persons interested in or objecting to the the decision of the Department of Public Works, by its letter dated June 20, 2005, approving a request for a Minor Sidewalk Encroachment Permit to occupy a portion of the public sidewalk right-of-way for the purpose of constructing and maintaining two 30" high planter box, and a warped driveway ramp, to encroach 3'-9" into the public sidewalk right-of-way fronting the property at 405 Hill Street. (Appellant: Bob Callori)
(Filed June 29, 2005; companion measure to Files 051271, 051272; District 8.)

Action:_____

(Only one of the following two motions should be adopted.)

58. 051271 **[Disapproving Minor Sidewalk Encroachment Permit Appeal - 405 Hill Street]**
Motion disapproving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 405 Hill Street and denying the Encroachment Permit.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

59. 051272 **[Approving Minor Sidewalk Encroachment Permit Appeal - 405 Hill Street]**
Motion approving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 405 Hill Street and denying the appeal.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

60. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

61. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY

62. **051280** **[Significant Exposure to Litigation Involving the City]**
[City as Plaintiff and/or Defendant]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding potential litigation involving the City related to the renewal of the cable franchise for Comcast of California III. Government Code Section 54956.9(b)(1) and (b)(3) and San Francisco Administrative Code Section 67.10(d)(2) permit this closed session. Based on existing facts and circumstances, there is a significant exposure to litigation involving the City and County.

Action: _____

After a closed session, if one occurs, the President shall (1) request the Deputy City Attorney to identify the subjects discussed in the closed session, and (2) direct the Clerk of the Board to report the vote taken on any motion in the closed session.

[Elect To Disclose]
Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 63 through 79

63. **051332** **[Accept-Expend Gift - Department of Public Works]**
Supervisor Maxwell

Resolution authorizing the Department of Public Works to accept a gift in the amount of up to $250,000 from the San Francisco Parks Trust for the construction of a children's playground on the Sunnydale Housing Project.

7/19/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

64. 051335 **[Charlotte Mailliard Shultz Staircase Renaming]**

Supervisor Peskin

Resolution renaming the Grand Staircase of San Francisco City Hall's rotunda as the Charlotte Mailliard Shultz Staircase.

7/19/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

65. 051336 **[Street Improvements on 25th Avenue]**

Supervisor McGoldrick

Resolution requesting that the Municipal Transportation Agency and Department of Public Works, work with the 25th Avenue Neighborhood Association to address, improve, and enhance conditions on 25th Avenue, and to expend funds as feasible and necessary to meet those ends.

7/19/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

66. 051337 **[Alternative Family Services Day]**

Supervisors Ammiano, Dufty

Resolution recognizing the outstanding contributions of Alternative Family Services, its foster parents, and staff proclaiming Wednesday, the 27th of July, 2005 in the City and County of San Francisco.

7/19/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

67. 051338 **[Dykes on Bikes Trademark]**

Supervisors Ammiano, Dufty

Resolution urging that the U.S. Patent and Trademark Office accept the San Francisco Women's Motorcycle Contingent's application to trademark the name, "Dykes on Bikes", for the group to use for educational and entertainment purposes such as parades, festivals, and other occasions celebrating the liberation of gay and lesbian people from historical discrimination.

7/19/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

68. 051339 **[Commending Libby Albert]**

Supervisor Dufty

Resolution commending Libby Albert for her work with the After School Enrichment Program (ASEP), and wishing her continued success with the Department of Children, Youth, and Their Families (DCYF).

7/19/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

69. 051340 [Honoring Patricia Toomey]

Supervisor Ma

Resolution honoring Patricia Toomey for her lifelong work and commitment to her native city of San Francisco.

7/19/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

70. 051341 [Supporting Senate Bill 600 - Healthy Californians Biomonitoring Program]

Supervisor Ma

Resolution urging the support of Senate Bill 600, the Healthy Californians Biomonitoring Program.

7/19/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

71. 051342 [Supporting AB 378 (Chu) - Hate Crime Civil Remedies Act]

Supervisor Ma

Resolution urging California Governor Arnold Schwarzenegger to sign AB 378 (Chu), the Hate Crime Civil Remedies Act into !aw.

7/19/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

72. 051343 [Endorsing recommendations of the Strategic Alliance]

Supervisor Maxwell

Resolution endorsing the Recommendations of the Strategic Alliance: "Taking Action for a Healthier California".

7/19/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

73. 051344 [Accept-Expend State Grant - Port Commission]

Supervisor Maxwell

Resolution authorizing the San Francisco Port Commission to accept and expend a grant in the amount of $132,600 from the California Coastal Conservancy for the Pier 94 Wetlands Enhancement Project.

7/19/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

74. 051345 **[Zoning - Extension of Planning Commission Review Period]**

Supervisor McGoldrick

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Administrative Code to add Chapter 36 to establish uniform procedures for developing comprehensive neighborhood plans (the "Better Neighborhoods Planning and Implementation Process"); to Administrative Code Section 3.4 to provide for integrated Better Neighborhoods Plan budget documents, and to amend the Planning Code to add Section 312A regarding discretionary review for projects proposed in Better Neighborhoods Plan areas.

7/19/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

75. 051346 **[Urging support for Preservation and Restoration of Sacred Heart Church]**

Supervisor Mirkarimi

Resolution urging the Department of Building Inspection and the San Francisco Archdiocese to diligently monitor the status and condition of the historic Sacred Heart Church and expressing support for preserving this historical treasure through all means possible.

7/19/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

76. 051347 **[Recognizing the importance of the African Diaspora in Latin America and North and South America]**

Supervisor Sandoval

Resolution recognizing the importance of the African Diaspora in Latin America as well as North and South America.

7/19/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

77. 051348 **[Commending Friar Louie Vitale]**

Supervisor Sandoval

Resolution commending Friar Louie Vitale for his many years of dedicated service as Pastor of St. Boniface Church.

7/19/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

78. 051278 **[Final Map for a 6 Unit Commercial Condominium Project - Fulton Masonic]**

Motion approving Final Map of Fulton Masonic, a Commercial Condominium Project, being a subdivision of Lot 30 in Assessor's Block No. 1175, and adopting findings pursuant to Planning Code Section 101.1.

(Public Works Department)

(DPW Order No. 175,491; District 5.)

7/12/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

79. **051279** **[Final Map for a 42 Unit Mixed Use Condominium Project - Tiffany Gardens 199 Tiffany Avenue/3294 Mission Street]**

Motion approving Final Map of San Francisco Tiffany Gardens 199 Tiffany Avenue/3294 Mission Street, A Mixed Use Condominium Project, being a subdivision of Lot 12 in Assessor's Block No. 6596, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 175,479; District 9.)

7/12/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

80. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from July 12, 2005 through July 18, 2005, for reference by President to appropriate committee on July 26, 2005.
None.

PROPOSED RESOLUTIONS

Proposed resolutions received from July 12, 2005 through July 18, 2005, for reference by President to appropriate committee on July 26, 2005.

051269 **[Agreement for Tolling of Statute of Limitations Governing Claim]**
Resolution approving the City Attorney's entry into a tolling agreement governing claim by USDA Forest Service filed February 2, 2005 arising from Stanislaus National Forest fire of August 9, 2004. (City Attorney)

7/12/2005, RECEIVED AND ASSIGNED to Rules Committee.

051273 **[Airport Environmental Review]**

Resolution certifying the Determination of the Office of Environmental Review that no further environmental review document is necessary for the West Field Cargo Redevelopment Project at San Francisco International Airport.
(Airport Commission)

7/13/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051370 **[Petitions and Communications]**

Petitions and Communications received from July 12, 2005 through July 18, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on July 26, 2005.

From the Office of the Controller, regarding the audit of the revolving fund maintained by the Office of the Assessor-Recorder. (1)

From the Office of the Controller, submitting the Statement of Cash and Investments of the Office of the Treasure and Tax Collector as of March 31, 2005. (2)

From the Port, submitting list of sole source contracts for fiscal year 2004/05. (3)

From Department of Administrative Services, submitting list of sole source contracts for fiscal year 2004/05. (4)

From the Office of Citizen Complaints, submitting list of sole source contracts for fiscal year 2004/05. (5)

From Emergency Communications Department, submitting list of sole source contracts for fiscal year 2004/05. (6)

From Department of the Environment, submitting list of sole source contracts for fiscal year 2004/05. (7)

From Public Library, submitting list of sole source contracts for fiscal year 2004/05. (8)

From Department of Parking and Traffic, submitting list of sole source contracts for fiscal year 2004/05. (9)

From Public Defender, submitting list of sole source contracts for fiscal year 2004/05. (10)

From Department of Public Works, submitting list of sole source contracts for fiscal year 2004/05. (11)

From the Office of the Treasure and Tax Collector, submitting record of the receipt and disposition of gifts given to the Office of the Treasure and Tax Collector during fiscal year 2004-05. (12)

From Supervisor Peskin, submitting the appointment of Gee Gee Platt to the advisory committee (as a representative of the President of the Board of Supervisors) to advise MOEWD on disbursement of the settlement funds between the San Francisco Redevelopment Agency and developers of the Emporium/Bloomingdale's project. (13)

From the Ethics Commission, regarding regulations to implement the Campaign Finance Reform Ordinance. Copy: Each Supervisor (14)

From concerned citizens, submitting request for continuance of appeal for project at 800 Brotherhood Way to August 16, 2005. File 051226, Copy: Each Supervisor (15)

From Susan Brandt-Hawley, appealing the Categorical Exemption for project at 39 Chattanooga Street on behalf of the Chattanooga Street/Golden Fireplug Historic District Friends. File 051320, Copy: Each Supervisor (16)

From Association of Bay Area Governments (ABAG), submitting request for appointment (or reappointment) of two representatives and two alternates to ABAG's Executive Board for the new term beginning July 1, 2005 ending June 30, 2007. (17)

From Employees' Retirement System, regarding proposed Charter Amendment imposing term limits for members of City Boards and Commissions. File 050927, Copy: Rules Committee member's (18)

From Office of the Mayor, submitting technical adjustments to the Mayor's proposed budget for fiscal year 2005-06. File 051025, Copy: Each Supervisor (19)

From Police Department, concerning the cost to the Police Department for arresting people for prostitution. (Reference No. 20050607-009) Copy: Supervisor Mirkarimi (20)

From concerned citizens, submitting support for the permanent berthing of the USS Iowa in San Francisco. File 051113, Copy: Each Supervisor (21)

From Planning Department, submitting notice that the Charter amendments contained in Board of Supervisors File Nos. 031567, 050818, 050925, 050927, 050929 and 050492 are not subject to CEQA because they are not defined as "projects" in California Public Resources Code section 21065, and CEQA Guidelines sections 15060© and 15378. (22)

From Office of the Sheriff, concerning the cost to the Sheriff's Department of incarcerating individuals booked on prostitution charges. (Reference No. 20050607-007) Copy: Supervisor Mirkarimi (23)

From Office of the Public Defender, concerning the cost to the Public Defender's Office in defending prostitution, pimping and pandering cases. (Reference No. 20050607-006) Copy: Supervisor Mirkarimi (24)

From the Health Service System, submitting notice that as a result of passage of Proposition C during the last November election, the Health Service System Department operates as a separate entity that is governed by the Health Service Board. (25)

From the Ethics Commission, submitting list of sole source contracts for fiscal year 2004/05. (26)

From Department of Elections, submitting notice that the Department of Elections did not enter any sole source contracts during fiscal year 2004-05. (27)

From James Chaffee, commenting on proposed Charter amendment concerning the Board of Supervisors meeting by teleconferencing. File 050492, Copy: Each Supervisor (28)

From Mission Valley Properties, submitting opposition for a continuance of appeal of Final Negative Declaration for proposed project at 800 Brotherhood Way. File 051226, Copy: Each Supervisor (29)

From James Chaffee, submitting letter entitled "The Ad Hominem Defense" dated July 18, 2005. Copy: Each Supervisor (30)

From Holistic Solutions, regarding their agreement to voluntarily vacate there proposed medicinal cannabis dispensary outlet at 2290 3rd Street. Copy: Each Supervisor (31)

From concerned citizens, submitting opposition to proposed ordinance authorizing department heads to accept and expend donations from recognized non-profit organizations without full oversight and public input. File 051138 (32)

From concerned citizens, regarding Conditional Use appeal for 800 Brotherhood Way. File 051234, Copy: Each Supervisor (33)

From the Ethics Commission, submitting response to the Civil Grand Jury Report "What is the difference between a contract and a grant?" released May 24, 2005. Copy: Each Supervisor (34)

From Recreation and Park Department, announcing the appointment of Dennis Kern as Operations Director for the Recreation and Park Department. Copy: Each Supervisor (35)

From Margit Ritchie, urging continued funding for the Friends of the Urban Forest. Copy: Each Supervisor (36)

From concerned citizens, regarding grass fire near Hunters Point Shipyard. Copy: Supervisor Maxwell (37)

From concerned citizens, commenting on proposed legislation regarding the SFPUC Water System Improvement Program for fiscal year 2005-06. File 051045, Copy: Each Supervisor (38)

From Richard Skaff, regarding the major renovation at Sigmund Stern Grove. (39)

From Carla Leshne, submitting suggestions regarding Ellis Act evictions. Copy: Each Supervisor (40)

From Richard Lynch, thanking the Board for not bringing the USS Iowa to San Francisco. File 051113, Copy: Each Supervisor (41)

From Department on the Status of Women, submitting the six-month report on the work of the Department on the Status of Women. Copy: Each Supervisor (42)

From concerned citizens, submitting opposition to proposed legislation to initiate a fee for driving downtown. (43)

From Isadora Fisher, submitting support for keeping the Green Cross medical marijuana clinic open. (44)

From Bob Rothman, commenting that SBC DSL service is currently unavailable on Geary Street between Leavenworth Street and Van Ness Avenue. Copy: Supervisor Daly (45)

From Christopher Tom, regarding the lack of public safety while boarding or disembarking the Muni L train at 32nd and Taraval in the Sunset District. Copy: Supervisor Ma (46)

From Glen Long, regarding the traffic conditions that were created on San Jose Avenue south of Cesar Chavez by deleting a traffic lane in each direction and adding a bike lane. Copy: Each Supervisor (47)

From Bob Smith, submitting his opinion on the police administration in San Francisco. Copy: Each Supervisor (48)

APPOINTMENTS BY THE MAYOR
Fire Commission
Victor Makras

Recreation and Parks Commission
David Edward Lee

ADJOURNMENT

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.
JUL 29 2005
SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, August 2, 2005 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Ammiano, Mirkarimi, Elsbernd	Thursday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns, Delegate Wong	2nd Monday (Bi-Monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Peskin, Elsbernd, Daly	2nd and 4th Monday 1:00 PM
Land Use Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Alioto-Pier, Mirkarimi, Peskin	Wednesday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

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AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

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The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

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Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS -

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 6

Recommendations of the Budget and Finance Subcommittee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

1. 050978 **[Accept-Expend Regional Grant - Airport Commission]**
Resolution authorizing the Airport Commission to accept and expend four (4) grants totaling $276,070 from the Bay Area Air Quality Management District (Air District) for acquisition of clean air vehicles by Airport transportation operators.
(Airport Commission)

Question: Shall this Resolution be ADOPTED?

2. 050854 **[Airport Concession Lease]**
Resolution approving Amendment No. 2 to the Public Locker and Over-the-Counter Baggage Storage Lease No. 95-0263 between Smarte Carte, Inc., and the City and County of San Francisco, acting by and through its Airport Commission.
(Airport Commission)

Question: Shall this Resolution be ADOPTED?

3. **051124** **[Lease of Real Property at 1440 Harrison Street]**

Resolution authorizing the renewal of a sublease of 52,200 sq. ft. of space at 1440 Harrison Street for the Department of Human Services.
(Real Estate Department)

Question: Shall this Resolution be ADOPTED?

4. **051125** **[Airport Contract Modification - Professional Services Agreement for contract No. 3399]**

Resolution approving Modification No. 5, of the Professional Services Agreement for contract No. 3399 – Professional insurance brokerage services for specification, placement and administration of an OCIP for the Airport's Master Plan with J&H Marsh McLennan/Merriwether & Williams Insurance Services, to extend the term of the contract for three years for a new ending date of June 30, 2007.
(Airport Commission)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

5. **051329** **[Appointment - Treasury Oversight Committee]**

Resolution appointing Edward Harrington, Joseph Grazioli and Leonardo Fermin, terms ending June 5, 2009, to the Treasury Oversight Committee, residency requirement waived.

Edward Harrington, succeeding himself, term expired, seat 2, must be the Controller, for the unexpired portion of a four-year term ending June 5, 2009.

Joseph Grazioli, succeeding George Kozita, term expired, seat 3, must represent the Superintendent of Schools, for the unexpired portion of a four-year term ending June 5, 2009.

Leonardo Fermin (residency requirement waived) succeeding himself, term expired, seat 4, must represent the public at large, for the unexpired portion of a four-year term ending June 5, 2009.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Mirkarimi, Peskin

6. 051368 **[Appointment - Immigrant Rights Commission]**

Resolution appointing Deborah Escobedo, Felix Levy and Samira Causevic McCoy, terms ending June 6, 2007, to the Immigrant Rights Commission.

Deborah Escobedo, succeeding herself, seat 4, term expired, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2007.

Felix Levy, succeeding Richard Ow, seat 6, term expired, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2007.

Samira Causevic McCoy, succeeding Phu Nguyen, seat 8, term expired, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2007.

Question: Shall this Resolution be ADOPTED?

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:*_____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

7. 050741 [Creating a Food Security Task Force]

Supervisors Maxwell, Mirkarimi, Ammiano

Ordinance amending the San Francisco Health Code by adding Sections 470.1 and 470.2, to establish a Food Security Task Force charged with creating a strategic plan to address hunger, enhancing food security, and increasing participation in federally funded programs; requiring preparation of reports and a strategic plan; and including a sunset provision.

7/26/2005, PASSED ON FIRST READING. Supervisor Ammiano requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

8. 050132 [Rules of Order of the Board - Material Economic Impact Legislation]

Supervisors Alioto-Pier, Elsbernd

Motion amending the Rules of Order of the Board of Supervisors to add Rule 6.25, which will provide a process for holding public hearings associated with legislation that might have a material economic impact on the City.

7/26/2005, CONTINUED. Continued to August 2, 2005
Supervisor Elsbernd requested to be added as a co-sponsor.

Question: Shall this Motion be APPROVED?

Present: Supervisors Alioto-Pier, Peskin

9. 031567 **[Charter Amendment - Establishing an Emergency Health Care Services Fund and baseline funding for the Fund]**

Supervisors Daly, Sandoval

Charter Amendment (Fourth Draft) to add Section 16.126 to increase the fiscal authority of the Health Commission and establish a stable baseline funding level for the Department of Public Health to ensure the continued operation of San Francisco public health services.

9/23/2003, SUBSTITUTED to Board of Supervisors. Supervisor Daly submitted a substitute Charter amendment bearing new title.

11/4/2003, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Supervisor Daly, seconded by Supervisor Ammiano, moved an amendment of the whole. (Third Draft)

11/4/2003, CONTINUED AS AMENDED. Continued to November 18, 2003 with the Board Sitting as a Committee of the Whole.

11/18/2003, RE-REFERRED.

7/12/2005, CONTINUED. Continued to July 19, 2005

7/19/2005, CONTINUED. Continued to July 26, 2005

7/26/2005, CONTINUED. Continued to August 2, 2005
Supervisor Sandoval requested to be added as a co-sponsor.

Question: Shall this Charter Amendment be SUBMITTED?

Recommendation of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

10. 050862 **[Rincon Hill Area Plan Amendments]**

Supervisor Daly

Ordinance amending the San Francisco General Plan by amending the Rincon Hill Area Plan, the Urban Design Element, the Recreation and Open Space Element, the Downtown Plan, the South of Market Area Plan, and the Land Use Index to conform them with proposed Rincon Hill Downtown Residential District; adopting environmental findings that the proposed amendments are consistent with the General Plan and the eight priority policies of Planning Code Section 101.1.
(Planning Department)

7/26/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Subcommittee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

11. 050865 [Rincon Hill Area Plan: Imposing development impact fees for the provision of necessary community infrastructure in DTR Districts]

Supervisor Daly

Ordinance amending the Planning Code by adding Section 318 to impose community improvement impact fees of $11 per square foot on residential development in the DTR districts to provide necessary community improvements and enhance property values in the district by helping to fund the construction and reconstruction of streets, streetscaping, parks, community centers, and other public infrastructure, to impose a SOMA community stabilization impact fee of $14 per square foot on residential development in the Rincon Hill Area Plan to provide community stabilization benefits in SOMA including affordable housing, economic development and community cohesion; amending the Zoning Map of the City and County of San Francisco to change Maps 1, 1H, and 1SU for the area generally bounded by Folsom Street to the north, The Embarcadero to the east, Bryant Street and the north side of the Bay Bridge to the south, and Essex Street to the west for the blocks and lots described below; and amending the San Francisco Planning Code by adding Sections 825, 825.1, 826, and 827 to create Downtown Residential (DTR) districts, establish DTR districts in Transbay and Rincon Hill, and specify the uses permitted in Downtown Residential districts; by adding Sections 145.4, 151.1, 152.2, 155.5, 166, 167, 175.7 and 263.19 to impose requirements for street frontages, permitted off-street parking and loading, allowed off-street freight loading and service vehicle spaces, bicycle parking, car sharing, separating parking costs from housing costs, exempting certain pipeline projects from the new controls, and limiting podium and tower heights in the R bulk district; by adding Section 309.1 establishing procedures for permit review in DTR districts; and by amending Section 102.5 (District), Section 135 (Usable Open Space for Dwelling Units and Group Housing), Section 141 (Screening of Rooftop Features), Section 151 (Required Off-Street Parking Spaces), Section 152 (Schedule of Required Off-Street Freight Loading Spaces in Districts Other Than C-3 or South of Market), Section 153 (Rules for Calculation of Required Spaces), Section 154 (Dimensions for Off-Street Parking, Freight Loading and Service Vehicle Spaces), Section 155 (General Standards as to Location and Arrangement of Off-Street Parking, Freight Loading and Service Vehicle Facilities), Section 182 (Nonconforming Uses), Section 201 (Classes of Use Districts), Section 207.5 (Density of Dwelling Units in Mixed Use Districts), Section 209 (Uses Permitted in R Districts), Section 249.1 (Rincon Hill Special use District), Section 260 (Height Limits; Measurement), Section 270 (Bulk Limits; Measurement), Section 608.13 (Rincon Hill Area), Section 802.1 (Mixed Use Districts), Section 803 (Mixed Use District Requirements), Section 803.5 (Additional Provisions Governing Uses in Mixed Use Districts), and Section 809 (Guide to Understanding the Mixed Use District Zoning Controls) to conform these sections with the new DTR district controls; adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.and making findings.

(Planning Department)

Supervisor Elsbernd dissented in Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 051044 **[Multifamily Housing Revenue Bonds - 575 Eddy Street Apartments]**
Supervisor Daly
Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed $5,000,000 for 575 Eddy Street Apartments; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $25,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed $5,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

Question: Shall this Resolution be ADOPTED?

13. 051198 **[Muni Standard Hybrid-Electric Bus Procurement]**
Supervisors Ammiano, Alioto-Pier, Mirkarimi
Resolution approving the award of Contract Proposal No. 350 (Procurement of Standard Low Floor Hybrid-Electric Diesel Coaches) between the City and County of San Francisco and Orion Bus Industries, in an amount not to exceed $29,398,629.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd, McGoldrick

14. 051258 **[Golf Fees - Cost of Living, McLaren Park]**
Supervisor McGoldrick
Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by amending Sec. 12.20 to authorize an annual cost of living increase in golf fees; and adding Sec. 12.37 to establish fees for Gleneagles Course at McLaren Park.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Elsbernd

15. 050919 **[Capital Planning Fund]**
Supervisor Elsbernd
Ordinance establishing a Capital Planning Fund to Receive and Expend Funds for Preliminary Design, Planning and Cost-Estimating of Major Capital Expenditure Projects.

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 050920 [San Francisco Capital Planning Plan and Committee]
Supervisor Elsbernd
Ordinance amending the San Francisco Administrative Code by repealing Sections 3.20, 3.21, 3.22 and 3.23 in their entirety; adding new Sections 3.20 and 3.21 to establish a requirement for a ten-year capital plan and to replace the Capital Improvements Advisory Committee with the Capital Planning Committee, to assign administrative responsibilities to the City Administrator, to broaden committee membership, and to clarify the committee's mission.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

17. 051284 [Confirming the Appointment of Kimberly Brandon to the San Francisco Port Commission]
Mayor
Resolution confirming the appointment of Kimberly Brandon to the San Francisco Port Commission, term ending May 1, 2009.

Question: Shall this Resolution be ADOPTED?

18. 051367 [Appointment - Entertainment Commission]
Motion appointing Erik Joseph Pred, term ending July 1, 2009, to the Entertainment Commission.
Erik Joseph Pred, succeeding himself, term expired, seat 3, must represent the interests of the public health community, for the unexpired portion of a four-year term ending July 1, 2009.

Question: Shall this Motion be APPROVED?

19. 051254 [Appointment - Board of Appeals, Katharine Albright]
Motion approving the Mayor's appointment of Katharine Albright to the Board of Appeals for the term ending July 1, 2008.
(Clerk of the Board)
(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 051255.)
Transmittal date - June 28, 2005.

Question: Shall this Motion be APPROVED?

Recommendation of the Land Use Committee

Present: Supervisors Maxwell, McGoldrick

20. 050864 **[Rincon Hill Area Plan; Imposing Development Fees]**

Supervisor McGoldrick

Ordinance amending the Planning Code by adding Section 318 to impose community improvement impact fees totalling $11 per square foot on residential development in the DTR districts to provide necessary community improvements and enhance property values in the district by helping to fund the construction and reconstruction of streets, streetscaping, parks, community centers, and other public infrastructure, and to impose an additional Rincon Hill development impact fee totalling $14 per square foot on residential development over 85 feet in height in the Rincon Hill Plan Area to create the Rincon Hill Mitigation Fund to fund affordable housing, to address impacts on citywide infrastructure such as open space, street improvements, and community facilities, and to address economic and community impacts on the SOMA community, and making findings; amending the Zoning Map of the City and County of San Francisco to change Maps 1, 1H, and 1SU for the area generally bounded by Folsom Street to the north, The Embarcadero to the east, Bryant Street and the north side of the Bay Bridge to the south, and Essex Street to the west for the blocks and lots described below; and amending the San Francisco Planning Code by adding Sections 825, 825.1, 826, and 827 to create Downtown Residential (DTR) districts, establish DTR districts in Transbay and Rincon Hill, and specify the uses permitted in Downtown Residential districts; by adding Sections 145.4, 151.1, 152.2, 155.5, 166, 167, 175.7 and 263.19 to impose requirements for street frontages, permitted off-street parking and loading, allowed off-street freight loading and service vehicle spaces, bicycle parking, car sharing, separating parking costs from housing costs, exempting certain pipeline projects from the new controls, and limiting podium and tower heights in the R bulk district; by adding Section 309.1 establishing procedures for permit review in DTR districts; and by amending Section 102.5 (District), Section 135 (Usable Open Space for Dwelling Units and Group Housing), Section 141 (Screening of Rooftop Features), Section 151 (Required Off-Street Parking Spaces), Section 152 (Schedule of Required Off-Street Freight Loading Spaces in Districts Other Than C-3 or South of Market), Section 153 (Rules for Calculation of Required Spaces), Section 154 (Dimensions for Off-Street Parking, Freight Loading and Service Vehicle Spaces), Section 155 (General Standards as to Location and Arrangement of Off-Street Parking, Freight Loading and Service Vehicle Facilities), Section 182 (Nonconforming Uses), Section 201 (Classes of Use Districts), Section 207.5 (Density of Dwelling Units in Mixed Use Districts), Section 209 (Uses Permitted in R Districts), Section 249.1 (Rincon Hill Special use District), Section 260 (Height Limits; Measurement), Section 270 (Bulk Limits; Measurement), Section 608.13 (Rincon Hill Area), Section 802.1 (Mixed Use Districts), Section 803 (Mixed Use District Requirements), Section 803.5 (Additional Provisions Governing Uses in Mixed Use Districts), and Section 809 (Guide to Understanding the Mixed Use District Zoning Controls) to conform these sections with the new DTR district controls; adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.

(Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:00 P.M.

21. 051242 [Hearing - "Noe Valley Community Benefit District (CBD)"]

Hearing of persons interested in or objecting to proposed resolution establishing a property-based business improvement district to be known as the "Noe Valley Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, and making environmental findings.
(Clerk of the Board)

Action:_____

22. 051185 [Resolution to establish the Noe Valley Community Benefit District]

Supervisor Dufty

Resolution establishing a property-based business improvement district to be known as the "Noe Valley Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, and making environmental findings.

Question: Shall this Resolution be ADOPTED?

23. 051244 [Hearing - "Castro/Upper Market Community Benefit District (CBD"]

Hearing of persons interested in or objecting to proposed resolution establishing a property-based business improvement district to be known as the "Castro/Upper Market Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, and making environmental findings.
(Clerk of the Board)

Action:_____

24. 051187 [Resolution to establish the Castro/Upper Market Community Benefit District]

Supervisor Dufty

Resolution establishing a property-based business improvement district to be known as the "Castro/Upper Market Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, and making environmental findings.

Question: Shall this Resolution be ADOPTED?

25. 051245 [Hearing - "North of Market/Tenderloin Community Benefit District (CBD)"]

Hearing of persons interested in or objecting to proposed resolution establishing a property-based business improvement district to be known as the "North of Market/Tenderloin Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, and making environmental findings.
(Clerk of the Board)

Action:_____

26. 051192 **[Resolution to establish the North of Market/Tenderloin Community Benefit District]**
Supervisor Daly
Resolution establishing a property-based business improvement district to be known as the "North of Market/Tenderloin Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, and making environmental findings.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items were considered by the Budget and Finance Committee at a Rescheduled Meeting on Thursday, July 28, 2005 at 11:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, August 2, 2005.

27. 050935 **[Authorizing permits to exempt itinerant School District teachers and administrators from Residential Parking Permit regulations]**
Supervisors Ammiano, Mirkarimi
Ordinance amending the San Francisco Traffic Code by amending section 308.3 to authorize the Director of Parking and Traffic to issue permits that would exempt itinerant teachers and designated school administrators employed by the San Francisco Unified School District from Residential Permit Parking regulations, and setting a fee for such permits.

Question: Shall this Ordinance be PASSED ON FIRST READING?

28. 051036 **[0.25% Sales Tax Increase for Emergency Health Services]**
Supervisors Daly, Peskin, Ammiano, Ma, Maxwell, McGoldrick, Mirkarimi, Sandoval, Dufty
Ordinance amending the San Francisco Business and Tax Regulations Code to add Article 16-A to impose a transactions and use tax at the rate of one-quarter of one percent (0.25%) in accordance with Parts 1.6 and 1.7 of Division 2 of the California Revenue and Taxation Code, for the purpose of providing additional support for emergency medical, hospital inpatient, outpatient, public health, mental health and substance abuse services to residents of the City and County of San Francisco; directing submission of the tax for voter approval at election and setting forth the ballot question therefor.

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following item will be considered by the City Operations and Neighborhood Services Committee at a Regular Meeting on Monday, August 1, 2005 at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, August 2, 2005.

29. 051247 [Golden Gate Park Music Concourse - Surface Circulation Plan]
Supervisors Mirkarimi, McGoldrick, Peskin
Resolution approving the Golden Gate Park Music Concourse Surface Circulation Plan known as Option 2A, which prohibits the use of the Music Concourse for cut-through automobile traffic and provides for vehicular drop-off for visitors to the Concourse from the north and south; making environmental and other findings; and authorizing official acts in connection with this approval.

Question: Shall this Resolution be ADOPTED?

30. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

31. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

32. 051360 [Legislative Analyst Request - Means Testing]
Supervisor Elsbernd
Motion requesting the Legislative Analyst to survey means testing legislation for rent control in New York City, Boston and other municipalities in Massachusetts, and determine how means testing could be applied to the San Francisco Rent Control Ordinance.

Question: Shall this Motion be APPROVED?

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 33 through 42

33. 051345 **[Zoning - Extension of Planning Commission Review Period]**
Supervisor McGoldrick
Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Administrative Code to add Chapter 36 to establish uniform procedures for developing comprehensive neighborhood plans (the "Better Neighborhoods Planning and Implementation Process"); to Administrative Code Section 3.4 to provide for integrated Better Neighborhoods Plan budget documents, and to amend the Planning Code to add Section 312A regarding discretionary review for projects proposed in Better Neighborhoods Plan areas.

7/17/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
7/26/2005, CONTINUED. Continued to August 2, 2005
Question: Shall this Resolution be ADOPTED?

34. 051346 **[Urging support for Preservation and Restoration of Sacred Heart Church]**
Supervisor Mirkarimi
Resolution urging the Department of Building Inspection and the San Francisco Archdiocese to diligently monitor the status and condition of the historic Sacred Heart Church and expressing support for preserving this historical treasure through all means possible.

7/19/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
7/26/2005, CONTINUED. Continued to August 2, 2005
Question: Shall this Resolution be ADOPTED?

35. 051362 **[Amending Community Choice Aggregation Citizens Advisory Task Force Membership]**
Supervisor Ammiano
Resolution amending the membership of the Community Choice Aggregation Citizens Advisory Task Force to require that the Environmental Justice Advocate reside in the "Southeast sector" of San Francisco instead of "Hunter's Point".

7/26/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

36. 051363 **[Commending Mujeres Unidas y Activas (MUA)]**
Supervisors Dufty, Ammiano
Resolution commending Mujeres Unidas y Activas (MUA) for its work to organize and empower Latina immigrants, and wishing the organization continued success on its 15th Birthday.

7/26/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
Question: Shall this Resolution be ADOPTED?

37. 051364 [Commemorating the 60th Anniversary of the Bombings of Hiroshima and Nagasaki]

Supervisor Mirkarimi

Resolution commemorating the 60th Anniversary of the United States bombings of Hiroshima and Nagasaki, expressing solidarity with the Hibakusha, acknowledging the human suffering of victims and survivors, and imploring all nations to use all diplomatic and preventive efforts to cease the proliferation and use of nuclear weapons.

7/26/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

38. 051365 [Violence Against Women Act]

Supervisor Ma

Resolution urging the San Francisco Congressional delegation to support the reauthorization of the Violence Against Women Act.

7/26/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

39. 051366 [National Health Center Week]

Supervisor Ma

Resolution recognizing August 7-13, 2005 as "National Health Center Week" in the City and County of San Francisco.

7/26/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 051371 [Supporting Filipino Veterans Equity Act]

Supervisor Peskin

Resolution urging the President and the Congress of the United States of America to honor the contributions of Filipino World War II veterans by passing the Filipino Veterans Equity Act, specifically HR 302 and S 146.

7/26/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

41. 051372 [Urging Urban Outfitters, Inc. to Discontinue Selling Racially Offensive Merchandise]

Supervisors Sandoval, Mirkarimi

Resolution urging Urban Outfitters, Inc. to discontinue selling a line of racially offensive T-shirts with the slogan "New Mexico, Cleaner Than Regular Mexico" and remove the currently stocked merchandise from Urban Outfitters stores.

7/26/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 051356 **[Needle Exchange Emergency]**
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

7/26/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

43. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from July 19, 2005 through July 25, 2005, for reference by President to appropriate committee on August 2, 2005.

051065 **[Zoning Map Amendment for 425 Mason Street]**

Ordinance amending the San Francisco Planning Code by amending Sectional Map 1 of the Zoning Map of the City and County of San Francisco to change the use classification of the property located at 425 Mason Street, and identified as Assessor's Block No. 0306, Lot No. 002, from a zoning designation of P (Public) to C-3-G (Downtown General Commercial); and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.
(Planning Department)

7/25/2005, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 9/1/2005.

051349 **[Settlement of Lawsuit - Shao Xi Tan]**

Ordinance authorizing settlement of the lawsuit filed by Shao Xi Tan against the City and County of San Francisco for $80,000; the lawsuit was filed on August 22, 2003 in the United States District Court, Case No. C03-3907 MMC; entitled Shao Xi Tan, et al. v. City and County of San Francisco, et al.
(City Attorney)

7/22/2005, RECEIVED AND ASSIGNED to Rules Committee.

051350 **[Settlement of Lawsuit - San Francisco Bay Area Transit District]**

Ordinance approving settlement of litigation brought by the San Francisco Bay Area Transit District against City and County of San Francisco in the eminent domain action entitled San Francisco Bay Area Transit District v. City and County of San Francisco, et al. (Alameda County Superior Court No. HG03-099024, filed July 7, 2003), for a total value of $2,750,000.
(City Attorney)

7/22/2002, RECEIVED AND ASSIGNED to Rules Committee.

051354 **[Settlement of Lawsuit - George Q. Chen]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against George Q. Chen, for a payment to the Airport in the amount of $113,800.00, and on certain other terms; the lawsuit was filed on December 1, 2003, in United States Bankruptcy Court for the Northern District of California, Adversary Case No. 03-3713 DM and entitled City and County of San Francisco v. George Q. Chen.
(City Attorney)

7/25/2005, RECEIVED AND ASSIGNED to Rules Committee. Department requests this matter be scheduled for consideration at the August 3, 2005 meeting.

051398 **[Mission Bay South – Ordering Street Vacation of portions of Fourth Street]**

Ordinance ordering the vacation of two (2) portions of Fourth Street from Third Street north to Channel Street; authorizing a grant in fee title of the City and County of San Francisco's rights and interest in the vacated areas to FOCIL; authorizing reservations of certain utility easements in the vacated areas; adopting findings that such vacation of Fourth Street is consistent with the City General Plan and eight policies of City Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan; adopting findings pursuant to the California Environmental Quality Act (CEQA); accepting Department of Public Works Order No. 175,536; and authorizing official acts in connection with this Ordinance.
(Public Works Department)

7/25/2005, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from July 19, 2005 through July 25, 2005, for reference by President to appropriate committee on August 2, 2005.

051308 **[Special Assessment of Liens for Assessment of Costs]**
Resolution confirming report of Delinquent Charges for Code Enforcement cases with Delinquent Assessment of Costs, and Fees pursuant to the provisions of Section 102.3, 102.12, 102.17, 102.18, 102.19 et Seq., Section 108, Section 110 - Tables 1-K, and 1-G, and Sections 3407.7.1.3, 3407.7.1.4, 3407.7.1.5, and 3407.7.1.6 et seq., of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for Services rendered by said Department of Costs thereof having accrued pursuant to Code Violations referenced above.
(Building Inspection Department)

7/22/2005, SCHEDULED FOR PUBLIC HEARING. Scheduled for August 9, 2005, at 3:00 p.m.

051351 **[Settlement of Claim - Andrea Runge]**
Resolution approving the settlement of the unlitigated claim by Andrea Runge against the City and County of San Francisco and Michael Scott for $45,000.
(City Attorney)

7/22/2005, RECEIVED AND ASSIGNED to Rules Committee.

051352 **[Outreach Advertising]**
Resolution designating El Reportero to be the outreach newspaper of the City and County of San Francisco for the Hispanic community; and, the San Francisco Bay View to be the outreach newspaper of the City for the African American community to provide outreach advertising services for the fiscal year commencing upon Board of Supervisors and Mayoral approval and ending June 30, 2006.

7/22/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051397 **[Mission Bay South - Street Vacation of Portions of Fourth Street]**
Resolution declaring the intention of the Board of Supervisors to vacate two (2) portions of Fourth Street within Mission Bay South from Third Street north to Channel Street; setting the hearing date for all persons interested in the proposed vacation of the street area; adopting findings that the proposed vacation is consistent with the San Francisco General Plan and eight priority policies of San Francisco Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan; and making environmental findings.
(Public Works Department)

7/25/2005, RECEIVED AND ASSIGNED to Land Use Committee.

051401 **[Petitions and Communications]**

Petitions and Communications received from July 19, 2005 through July 25, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on August 2, 2005.

From concerned citizens, concerning homeownership in San Francisco. (1)

From the Port, regarding authorization to cast assessment ballots for Port property "Fisherman's Wharf Community Benefit District" Assessor's Parcel Numbers 0017 002, 0015 001 and 0016 001. File 051241 (2)

From Supervisor Daly, submitting appointment of William Standard to the Youth Commission. (3)

From Department of Elections, concerning the mock election and the process for selecting a new voting system. Copy: Each Supervisor (4)

From Department of Public Works, submitting notice that the Department of Public Works has approved a street use banner permit towards an event named "The Universe Within" for the California Masonic Temple. (5)

From Department of Public Works, regarding replacing "Yield to Pedestrian" street signs at 9th and Division Streets and on the medians of Battery Street at multiple intersections. Copy: Supervisors Peskin, Dufty (6)

From Carrie Beard, submitting request to reinstate a type 20 beer and wine off sale liquor license to Café Abir, Inc. at 1306 Fulton Street. (7)

From Supervisor Daly, submitting copy of letter sent to the Department of Elections informing them of a possible late Charter amendment to establish an Emergency Health Care Services Fund and baseline funding for the Fund. Copy: Each Supervisor, City Attorney, File 031567 (8)

From Planning Department, submitting response to the letter of appeal regarding the issuance of a Categorical Exemption/General Rule Exclusion for proposed project at 899 North Point Street. File 051222, Copy: Each Supervisor (9)

From Law Offices of Carol Ruth Silver, submitting petition from the residents of Elgin Park to maintain a cul de sac with no vehicle opening to Market Street. Copy: Each Supervisor (10)

From Supervisor Daly, requesting a continuance of Charter amendment regarding establishing an Emergency Health Care Services Fund to the August 2, 2005 Board of Supervisors meeting. Copy: Each Supervisor, City Attorney, File 031567 (11)

From Department of Public Works, regarding environmental costs of curb cuts for auto ingress/egress on city streets designated as transit preferential streets. (Reference No. 20050614-002) Copy: Supervisor Mirkarimi (12)

From Office of the Controller, submitting a concession audit of the lease between Affordable Self-Storage Inc. and the Port of San Francisco. (13)

From Department of Animal Care and Control, submitting request for waiver of Administrative Code Chapters 12B and 12C for Radiation Detection Company. (14)

From Department of Animal Care and Control, submitting request for waiver of Administrative Code Chapters 12B and 12C for Bayer Corporation. (15)

From Department of Parking and Traffic, regarding improving pedestrian safety at Sawyer and

Visitacion Avenue. (Reference No. 20050426-003) Copy: Supervisor Maxwell (16)

From Stephanie McCardell, submitting requests for a type 42 on sale beer and wine public premises license for "Eclectic Cup, LLC" located at 230 West Portal Avenue. (17)

From Supervisor Daly, regarding proposed legislation that imposes development impact fees in the Rincon Hill Downtown Residential Mixed Use District to fund community stabilization programs. File 051032 (18)

From the Real Estate Division, submitting a revised and fully executed agreement for sale of real estate at 22nd Street between Arkansas and Connecticut Streets. File 050085 (19)

From Department of Elections, certifying that the Initiative Ordinance for Neighborhood Firehouses does qualify for the upcoming November 8, 2005 Consolidated Special Statewide Election in the City and County of San Francisco. (20)

From Department of Elections, certifying that the Initiative Ordinance for Military Recruiters in Public Schools, Scholarship for Education and Job Training does qualify for the upcoming November 8, 2005 Consolidated Special Statewide Election in the City and County of San Francisco. (21)

From Sierra Club, urging the Board to remove the exception regarding the 115 feet tower spacing requirements in the plan documents for 375/385-399 Fremont Street (Rincon Hill Plan). Copy: Land Use Committee (22)

From Department of Public Health, regarding environmental costs of curb cuts for auto ingress/egress on city streets designated as transit preferential streets. (Reference No. 20050614-001) Copy: Supervisor Mirkarimi (23)

From Planning Department, submitting notice that the proposed ordinance to allow a conditional use for conversion of upper floor residential units in the Sacramento Street Neighborhood Commercial District Upper Floor Educational Service Use is exempt from CEQA under the General Rule Exclusion (State Guidelines, Section 1506(b)(3). File 051248, Copy: Each Supervisor (24)

From Office of the Controller, regarding funding provided to plant and maintain trees in San Francisco in fiscal year 2005/06. (25)

From Office of the Controller, regarding proposed ordinance that authorizes a 1/4th-cent sales tax for the purpose of funding emergency health and community health services. File 051036 (26)

From Planning Department, regarding the cost to the City incurred by mid-block curb cuts for auto access-egress on transit preferential streets. (Reference No. 20050614-001) Copy: Supervisor Mirkarimi (27)

From Public Utilities Commission, regarding the second-annual city agency-wide campaign "Fight the Bite" to educate the public about the threat of West Nile Virus in San Francisco. Copy: Each Supervisor (28)

From Department of Public Health, submitting the quarterly AIDS surveillance report for AIDS cases reported through June 2005. (29)

From California Fish and Game Commission, submitting notice of proposed regulatory action relating to Commercial Herring regulations. (30)

From Ms. Gavin, suggesting a Proclamation Day for Girl Scouts and their troop leaders at city hall. Copy: Each Supervisor (31)

From concerned citizens, submitting support for proposed resolution to preserve Sacred Heart Church in the Western Addition. File 051346, Copy: Each Supervisor (32)

From Human Rights Commission, submitting response to the findings and recommendation contained in the May 2005 Civil Grand Jury Report regarding City Contracting and Affirmation Action. File 051153, Copy: Supervisors Peskin, Elsbernd, Daly (33)

From Police Department, regarding policy and legal measures for curtailing unsafe residential use of motorized scooters, mini-bikes, or hybrid/homemade motorized bikes by children or individuals that don't possess a valid operator's license. 9Reference No. 20050621-012) Copy: Supervisors Mirkarimi, Maxwell, Dufty (34)

From Assemblyman Mark Leno, urging the re-appointment of Joseph Pred as the public health representative on the San Francisco Entertainment Commission. (35)

From concerned citizens, submitting support for bringing the battleship Iowa to San Francisco. File 051113 (36)

From Recreation and Park Department, submitting report for the 4th quarter of fiscal year 2004-05 in response to the requirements of Resolution 157-99 Lead Poising Prevention. (37)

From Law Offices of Steve Williams, submitting support for continuance of public hearing regarding 899 North Point Street. File 051222, Copy: Each Supervisor (38)

From SF Environment, regarding regulations that adopt an approved alternatives list for products covered in the Federal Comprehensive Procurement Guidelines other than printing and writing paper products, products not listed in the Federal Comprehensive Procurement Guidelines, batteries and Vehicle Fuel Precautionary Purchasing Ordinance No. 1125-05. (39)

From Richard Ng, regarding residential parking permit's placement policy. Copy: Department of Parking and Traffic (40)

From Planning Department, submitting the San Francisco 2001-2004 Housing Inventory. (41)

From concerned citizens, submitting opposition to proposed legislation to initiate a fee for driving in downtown San Francisco. (42)

From Karyn Shore, submitting support for proposed legislation amending the San Francisco Administrative Code to add Chapter 41F to prohibit the conversion of existing tourist hotel structures with 50 or more tourist guest rooms to condominium projects or dwelling units; and adopting findings, including environmental findings. File 051333, Copy: Each Supervisor (43)

From concerned citizens, submitting opposition to proposed legislation amending the San Francisco Administrative Code to add Chapter 41F to prohibit the conversion of existing tourist hotel structures with 50 or more tourist guest rooms to condominium projects or dwelling units; and adopting findings, including environmental findings. File 051333, Copy: Each Supervisor (44)

From concerned citizens, submitting support to preserve the architectural and historical heritage of the little house at 39 Chattanooga Street. File 051320, Copy: Each Supervisor (45)

From Office of the Controller, submitting report on the effectiveness of the continuum of care between acute and long-term care services provided by the City's Department of Public Health. (46)

From the Real Estate Division, submitting report of property owned by the City and County of San Francisco, the Community College District and the San Francisco Unified School District. (47)

ADJOURNMENT

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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City and County of San Francisco
NOTICE OF PUBLIC HEARING
Board of Supervisors

General Notice — Transmitted 07-27-05

A public hearing will be held 8/9/05 at 4:00 PM or as soon as possible after this time, at Legislative Chamber, Rm 250, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

The Board of Supervisors will hold a public hearing relative to the listed subjects. All interested parties are cordially invited to attend. Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.

Mail comments for the Listed Files to: Board of Supervisors, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

051320 Public Hearing - Appeal of Categorical Exemption from Environmental Review for 39 Chattanooga Street

Hearing of persons interested in or objecting to the decision of the Planning Department dated June 13, 2005 (Case No. 2003.0415E), exempting from environmental review under Categorical Exemption State CEQA Guidelines, Section(s) 15301(e)(2), Existing Facilities. The project would construct an addition to an existing single family residence without off-street parking, to accommodate two dwelling units and two parking spaces (one with independent access). The existing 840-suqre foot (sq.ft.), one-story-over basement, single-family residence is approximately 14 feet tall. The proposed addition would expand the existing site development to contain two dwelling units (approximately 1,299 sq.ft. and 2,695 sq.ft. = 3,994 total sq.ft., a net increase for the site of approximately 3,154 sq.ft.) The project would: (1) raise the existing one-story-over basement, single-family dwelling approximately seven feet in height, and move it forward, reducing the existing 20-foot front setback to approximately 10 feet; (2) demolish the existing rear 20-foot extension (kitchen/porch/stairs); (3) construct a new three-story-over basement addition with an allowable 12-foot extension of one-story-over basement at the rear, and; (4) establish two dwelling units on the property. The finished height of the existing building would be approximately 21 feet to the midpoint of the pitched roof. The finished height of the addition at the rear would be approximately 30 feet to the top of the sloped roof. The project would modify the front façade of the existing building to accommodate a new entrance and a nine-foot-wide garage opening. The approximately 3,250 sq. ft. project site, (Assessor's Block 3619, Lot 077), is located on the east side of Chattanooga Street, on the block bounded by Church, 21st, Dolores and 22nd Streets. The site is within an RH-2 (Residential, House, Two-Family) Use District and a 40-X Height and Bulk District. (Appellant: Susan Brandt-Hawley on behalf of Chattanooga Street/Golden Fireplug Historic District Friends.)

Remarks: The existing structure at 39 Chattanooga Street, is not rated in any Planning Department, or other San Francisco Survey for architectural merit or historic importance, is not a landmark, and is not included in an historic district. It is not listed on the National Historic Register of Historic Places. However, the Planning Department Preservation Technical Specialist requested further research regarding the structure.

Gloria L. Young, Clerk of the Board

NOTE:
Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, August 9, 2005 2:00 PM

Regular Meting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Ammiano, Mirkarimi, Elsbernd	Thursday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns, Delegate Wong	2nd Monday (Bi-Monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Peskin, Elsbernd, Daly	2nd and 4th Monday 1:00 PM
Land Use Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Alioto-Pier, Mirkarimi, Peskin	Wednesday 10:00 AM

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First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Meeting Minutes for July 12, 2005.

AGENDA CHANGES

COMMUNICATIONS

Note. Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 8

Recommendations of Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi

1. 050935 **[Authorizing permits to exempt itinerant School District teachers and administrators from Residential Parking Permit regulations]**

Supervisors Ammiano, Mirkarimi, Ma

Ordinance amending the San Francisco Traffic Code by amending section 308.3 to authorize the Director of Parking and Traffic to issue permits that would exempt itinerant teachers and designated school administrators employed by the San Francisco Unified School District from Residential Permit Parking regulations, and setting a fee for such permits.

8/2/2005, PASSED ON FIRST READING. Supervisor Ma requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Ammiano, Mirkarimi, Elsbernd, McGoldrick

2. 051258 [Golf Fees - Cost of Living, McLaren Park]
Supervisor McGoldrick
Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by amending Sec. 12.20 to authorize an annual cost of living increase in golf fees; and adding Sec. 12.37 to establish fees for Gleneagles Course at McLaren Park.

8/2/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

3. 051191 [Airport Food and Beverage Lease]
Resolution approving the Terminal 1 Casual Dining & Bar Lease between WSE Group, Inc., and the City and County of San Francisco, acting by and through its Airport Commission.

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

4. 050219 [Creation of Motorcycle Only Parking Zones]
Supervisor Mirkarimi
Resolution designating motorcycle only parking zones at curb spaces fronting the properties of 1015 Irving Street, 1365 9th Avenue, 1367 9th Avenue, 1300 8th Avenue, 1299 8th Avenue, and 1271 9th Avenue on a twenty-four hour, seven day a week basis and requiring appropriate signage.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors McGoldrick, Dufty, Ma

5. 050849 **[Liquor License, 377 Hayes Street]**
Resolution determining that the transfer of a Type 48 on-sale general public premises license from 1449 Lombard Street to 377 Hayes Street to David M. Bass and Mi Hui Bass for Sugar Lounge will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors McGoldrick, Dufty

6. 050950 **[Liquor License, 510 Larkin Street]**
Resolution determining that the transfer of a Type 48 on-sale general public premises license from 1312 Polk Street to 510 Larkin Street to Paul Xavier, Douglas Cox and David C. Kapp for DECO Lounge will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.

Question: Shall this Resolution be ADOPTED?

7. 051059 **[Liquor License, Two Embarcadero Center - Street Level in the Financial District]**
Resolution determining that the issuance of a Type 42 on-sale beer and wine license to Mark A. Dirsa, for WINE located at Two Embarcadero Center – Street Level, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.

Question: Shall this Resolution be ADOPTED?

8. 051195 **[Liquor License, 2001 Polk Street]**
Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license from 2458 Polk Street to 2001 Polk Street to Ray Bair for Cheese Plus will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Subcommittee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

9. 050865 **[Rincon Hill Area Plan: Imposing development impact fees for the provision of necessary community infrastructure in DTR Districts]**

Supervisor Daly

Ordinance amending the Planning Code by adding Section 318 to impose community improvement impact fees of $11 per square foot on residential development in the DTR districts and surrounding areas to provide necessary community improvements and enhance property values in the district by helping to fund the construction and reconstruction of streets, streetscaping, parks, community centers, and other public infrastructure, to impose a SOMA community stabilization impact fee of $14 per square foot on residential development in the Rincon Hill Area Plan to provide community stabilization benefits in SOMA including affordable housing, economic development and community cohesion; amending the Zoning Map of the City and County of San Francisco to change Maps 1, 1H, and 1SU for the area generally bounded by Folsom Street to the north, The Embarcadero to the east, Bryant Street and the north side of the Bay Bridge to the south, and Essex Street to the west for the blocks and lots described below; and amending the San Francisco Planning Code by adding Sections 825, 825.1, 826, and 827 to create Downtown Residential (DTR) districts, establish DTR districts in Transbay and Rincon Hill, and specify the uses permitted in Downtown Residential districts; by adding Sections 145.4, 151.1, 152.2, 155.5, 166, 167, 175.7 and 263.19 to impose requirements for street frontages, permitted off-street parking and loading, allowed off-street freight loading and service vehicle spaces, bicycle parking, car sharing, separating parking costs from housing costs, exempting certain pipeline projects from the new controls, and limiting podium and tower heights in the R bulk district; by adding Section 309.1 establishing procedures for permit review in DTR districts; and by amending Section 102.5 (District), Section 135 (Usable Open Space for Dwelling Units and Group Housing), Section 141 (Screening of Rooftop Features), Section 151 (Required Off-Street Parking Spaces), Section 152 (Schedule of Required Off-Street Freight Loading Spaces in Districts Other Than C-3 or South of Market), Section 153 (Rules for Calculation of Required Spaces), Section 154 (Dimensions for Off-Street Parking, Freight Loading and Service Vehicle Spaces), Section 155 (General Standards as to Location and Arrangement of Off-Street Parking, Freight Loading and Service Vehicle Facilities), Section 182 (Nonconforming Uses), Section 201 (Classes of Use Districts), Section 207.5 (Density of Dwelling Units in Mixed Use Districts), Section 209 (Uses Permitted in R Districts), Section 249.1 (Rincon Hill Special use District), Section 260 (Height Limits; Measurement), Section 270 (Bulk Limits; Measurement), Section 608.13 (Rincon Hill Area), Section 802.1 (Mixed Use Districts), Section 803 (Mixed Use District Requirements), Section 803.5 (Additional Provisions Governing Uses in Mixed Use Districts), and Section 809 (Guide to Understanding the Mixed Use District Zoning Controls) to conform these sections with the new DTR district controls; adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.and making findings.
Version 4.
(Planning Department)

8/2/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

8/2/2005, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Elsbernd

10. 050919 **[Capital Planning Fund]**
Supervisor Elsbernd
Ordinance establishing a Capital Planning Fund to Receive and Expend Funds for Preliminary Design, Planning and Cost-Estimating of Major Capital Expenditure Projects.

8/2/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

11. 050920 **[San Francisco Capital Planning Plan and Committee]**
Supervisor Elsbernd
Ordinance amending the San Francisco Administrative Code by repealing Sections 3.20, 3.21, 3.22 and 3.23 in their entirety; adding new Sections 3.20 and 3.21 to establish a requirement for a ten-year capital plan and to replace the Capital Improvements Advisory Committee with the Capital Planning Committee, to assign administrative responsibilities to the City Administrator, to broaden committee membership, and to clarify the committee's mission.

8/2/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

From the Board

12. 051192 **[Resolution to establish the North of Market/Tenderloin Community Benefit District]**
Supervisor Daly
Resolution establishing a property-based business improvement district to be known as the "North of Market/Tenderloin Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, and making environmental findings.

8/2/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
8/2/2005, CONTINUED AS AMENDED. Continued to August 9, 2005
Question: Shall this Resolution be ADOPTED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

13. 051220 [Parking Fine Penalty Schedule]
Ordinance amending San Francisco Traffic Code Section 132 to reference the correct California Vehicle Code subsection for covering a license plate.
(Parking and Traffic Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

14. 051231 [Department of Building Inspection Cash Revolving Fund]
Ordinance amending San Francisco Administrative Code Section 10.135 to increase the Cash Revolving Fund of the Department of Building Inspection from $200 to $600.

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 050850 [Emergency Construction Contract]
Resolution requesting the Board of Supervisors to approve the expenditure of funds for emergency slope and drainage repair at the SFPUC Harry Tracy Water Treatment Plant, in the amount of $2.5 million.
(Public Utilities Commission)
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

16. 050591 [Inclusion of transit, pedestrian, and bicycle improvements as part of street improvement projects]
Supervisor Mirkarimi
Ordinance amending the Public Works Code to add Section 2.4.13 to require the integration of transit, pedestrian, and bicycle improvements as part of the planning, construction, reconstruction, or repaving of public right-of-ways.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, Peskin

17. 051333 **[Tourist Hotel Conversion]**
Supervisors Peskin, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Sandoval
Ordinance amending the San Francisco Administrative Code to add Chapter 41F to prohibit the conversion of existing tourist hotel structures with 100 or more tourist guest rooms to condominium projects or dwelling units, with certain exceptions; and adopting findings, including environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

18. 051219 **[Freeway Maintenance Agreement for Central Freeway Replacement Project]**
Resolution authorizing the City and County of San Francisco's Director of Public Works to execute a Freeway Maintenance Agreement with the State of California, acting by and through its Department of Transportation apportioning maintenance responsibilities for the Central Freeway Replacement Project.
(Public Works Department)

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Maxwell, Sandoval

19. 051128 **[Designate 1110 Taylor Street, the Glazer-Keating as as a Landmark]**
Supervisor Peskin
Ordinance Designating 1110 Taylor Street, the Glazer-Keating House, As Landmark No. 251 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code.
(Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 050851 **[Vacation of a portion of Bernal Heights Boulevard]**
Resolution declaring the intention of the Board of Supervisors to vacate a portion of Bernal Heights Boulevard west of Moultrie Street and transfer jurisdiction from the Department of Public Works to the Recreation and Park Department; setting the hearing date, September 13, 2005 at 3:00 p.m., for all persons interested in the proposed vacation of the street vacation area; and adopting environmental findings and findings that the vacation is consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1.
(Real Estate Department)

Question: Shall this Resolution be ADOPTED?

From the Land Use Committee Without Recommendation

Present: Supervisors Maxwell, Sandoval

21. **050852** **[Ordering the vacation of a portion of Bernal Heights Boulevard]**

Ordinance ordering the vacation of a portion of Bernal Heights Boulevard west of Moultrie Street; transferring jurisdiction from the Department of Public Works to the Recreation and Park Department; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance.

(Real Estate Department)

(To be heard at a public hearing on September 13, 2005 at 3:00 p.m.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Called From the City Operations and Neighborhood Services Committee

22. **051034** **[Prohibiting the display of human remains without appropriate written authorization from the deceased or the deceased's next-of-kin]**

Supervisors Ma, Dufty, Daly

Ordinance amending the San Francisco Police Code, by adding a new Article 11.1, beginning with Section 788, to prohibit the display of human remains without appropriate written authorization from the deceased or the deceased's next-of-kin.

8/2/2005, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Daly called this measure from City Operations and Neighborhood Services Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:00 P.M

23. 051307 **[Public Hearing]**

Hearing of persons interested in or objecting to report of Delinquent Charges for Code Enforcement cases with Delinquent Assessment of Costs, and Fees pursuant to the provisions of Section 102.3, 102.12, 102.17, 102.18, 102.19 et Seq., Section 108, Section 110 - Tables 1-K, and 1-G, and Sections 3407.7.1.3, 3407.7.1.4, 3407.7.1.5, and 3407.7.1.6 et seq., of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for Services rendered by said Department of Costs thereof having accrued pursuant to Code Violations referenced above.
(Clerk of the Board)

Action:_____

24. 051308 **[Special Assessment of Liens for Assessment of Costs]**

Resolution confirming report of Delinquent Charges for Code Enforcement cases with Delinquent Assessment of Costs, and Fees pursuant to the provisions of Section 102.3, 102.12, 102.17, 102.18, 102.19 et Seq., Section 108, Section 110 - Tables 1-K, and 1-G, and Sections 3407.7.1.3, 3407.7.1.4, 3407.7.1.5, and 3407.7.1.6 et seq., of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for Services rendered by said Department of Costs thereof having accrued pursuant to Code Violations referenced above.
(Building Inspection Department)

Question: Shall this Resolution be ADOPTED?

25. 051309 **[Public Hearing]**

Hearing of persons interested in or objecting to report of delinquent reinspection fee costs submitted by the Director of Public Health, as modified to the date of adoption of the resolution, and creating liens and special assessments based thereon.
(Clerk of the Board)

Action:_____

26. 051310 **[Unpaid DPH complaint reinspection fee liens to become special assessments to the property taxes]**

Resolution confirming the report of delinquent reinspection fee costs submitted by the Director of Public Health, as modified to the date of adoption of the resolution, and creating liens and special assessments based thereon.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

27. 051318 **[Public Hearing]**

Hearing of persons interested in or objecting to report of delinquent charges for refuse collection services and nuisance removal costs submitted by the Director of Public Health as modified to the date of adoption of this resolution, and creating Special Assessments and liens based thereon.
(Clerk of the Board)

Action:_____

28. **051319** **[Unpaid DPH Delinquent Refuse Service payment liens to become special assessments to the property taxes]**

Resolution confirming report of delinquent charges for refuse collection service and nuisance removal costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating Special Assessments and liens based thereon.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M

29. **050971** **[Public Hearing]**

Hearing of persons interested in or objecting to report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.
(Clerk of the Board)

Action:_____

30. **050972** **[Report of assessment costs for sidewalk and curb repairs]**

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.
(Public Works Department)
(DPW Order No. 175, 630; Locations: 131-133 Carl Street; 201 Capra Way; 411-15th Avenue.)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

31. 051222 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 899 North Point Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 22, 2005, exempting from environmental review under Categorical Exemption, State CEQA Guidelines Sections 15303(b) and General Rule Exclusion, under CEQA Guidelines Section 15061(b)(3). The proposed project would involve the demolition of a vacant gas station building, approximately 1,650 square feet in size, and construction of a four-story, five-unit residential building. The proposed project would provide seven off-street parking spaces on the ground floor. Entrance and access to the residential units would be from Larkin Street and vehicular entrance and access would be from North Point Street. The project site at 899 North Point Street (Assessor's Block 0026, Lot 020) is approximately 5,469 square feet in size and located on the southeastern corner of North Point and Larkin Streets in the Russian Hill neighborhood on the block bounded by Larkin, North Point, Hyde and Bay Streets. The project site is zoned RH-3 (Residential, House, Three-Family) and is within a 40-X height and bulk district. The project site is also located in the Waterfront Special Use District No. 2, per Section 240.2 of the San Francisco Planning Code. (Appellant: Stephen M. Williams.)

(Filed June 17, 2005; companion measure to Files 051223, 051224, 051225; District 2.)

7/26/2005, CONTINUED. Continued to August 9, 2005

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

32. **051223** **[Affirming the categorical exemption issued for 899 North Point Street]**

Motion affirming the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/26/2005, CONTINUED. Continued to August 9, 2005

Question: Shall this Motion be APPROVED?

33. **051224** **[Disapproving the categorical exemption issued for 899 North Point Street]**

Motion disapproving the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/26/2005, CONTINUED. Continued to August 9, 2005

Question: Shall this Motion be APPROVED?

34. **051225** **[Preparation of findings related to the categorical exemption issued for 899 North Point Street]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/26/2005, CONTINUED. Continued to August 9, 2005

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

35. 051320 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 39 Chattanooga Street] -**

Hearing of persons interested in or objecting to the decision of the Planning Department dated June 13, 2005 (Case No. 2003.0415E), exempting from environmental review under Categorical Exemption State CEQA Guidelines, Section(s) 15301(e)(2), Existing Facilities. The project would construct an addition to an existing single family residence without off-street parking, to accommodate two dwelling units and two parking spaces (one with independent access). The existing 840-suqre foot (sq.ft.), one-story-over basement, single-family residence is approximately 14 feet tall. The proposed addition would expand the existing site development to contain two dwelling units (approximately 1,299 sq.ft. and 2,695 sq.ft. = 3,994 total sq.ft., a net increase for the site of approximately 3,154 sq.ft.) The project would: (1) raise the existing one-story-over basement, single-family dwelling approximately seven feet in height, and move it forward, reducing the existing 20-foot front setback to approximately 10 feet; (2) demolish the existing rear 20-foot extension (kitchen/porch/stairs); (3) construct a new three-story-over basement addition with an allowable 12-foot extension of one-story-over basement at the rear, and; (4) establish two dwelling units on the property. The finished height of the existing building would be approximately 21 feet to the midpoint of the pitched roof. The finished height of the addition at the rear would be approximately 30 feet to the top of the sloped roof. The project would modify the front façade of the existing building to accommodate a new entrance and a nine-foot-wide garage opening. The approximately 3,250 sq. ft. project site, (Assessor's Block 3619, Lot 077), is located on the east side of Chattanooga Street, on the block bounded by Church, 21st, Dolores and 22nd Streets. The site is within an RH-2 (Residential, House, Two-Family) Use District and a 40-X Height and Bulk District. (Appellant: Susan Brandt-Hawley on behalf of Chattanooga Street/Golden Fireplug Historic District Friends.)

(Filed June 17, 2005; companion measure to Files 051321, 051322, 051323; District 8.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

36. 051321 **[Affirming the categorical exemption issued for 39 Chattanooga Street]**

Motion affirming the determination by the Planning Department that the 39 Chattanooga Street project is categorically exempt from environmental review under the California Environmental Quality Act.

(Clerk of the Board)

Question: Shall this Motion be APPROVED?

37. 051322 [Disapproving the categorical exemption issued for 39 Chattanooga Street]

Motion disapproving the determination by the Planning Department that the 39 Chattanooga Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

38. 051323 [Preparation of findings related to the categorical exemption issued for 39 Chattanooga Street]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 39 Chattanooga Street Project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items will be considered by the Rules Committee at a Regular Meeting on Wednesday, August 3, 2005 at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, August 9, 2005.

39. 051005 [Cable Television Franchise Amendments]

Mayor

Ordinance amending Ordinance No. 105-64, as amended by Ordinance Nos. 528-88, 315-89, 42-91, 42-97, and 266-99, by amending sections 1, 9, 24.3, 25, 25.5, 27.2, 31, and 32 and Appendix C to extend the term of the franchise and to clarify and expand the obligations of the Comcast of California III, Inc.

Question: Shall this Ordinance be PASSED ON FIRST READING?

40. 051006 [Settlement of Claims - Comcast of California III, Inc.]

Mayor

Ordinance approving the settlement of certain non-litigated claims on behalf of the City and County of San Francisco against Comcast of California III, Inc.

Question: Shall this Ordinance be PASSED ON FIRST READING?

The following items will be considered by the Government Audit and Oversight Committee at a Regular Meeting on Monday, August 8, 2005 at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, August 9, 2005.

41. 051358 **[Appropriate General Obligation Bond sale proceeds from the 2005A and 2005I series to fund the Laguna Honda Replacement Program and bond issuance costs for the Department of Public Works]**

Supervisor Elsbernd

Ordinance appropriating $39,328,014 of General Obligation Bond proceeds from the sale of the 2005A Series and appropriating, and placing on reserve, $69,000,000 from the General Obligation Bond proceeds from the 2005I Series for a total of $108,328,014 to fund the Laguna Honda Replacement Program and bond issuance costs for the Department of Public Works for fiscal year 2005-06.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

42. 051359 **[Laguna Honda Hospital General Obligation Bond Sale]**

Supervisor Elsbernd

Resolution authorizing and directing the sale of an issue of not to exceed $69,000,000 City and County of San Francisco General Obligation Bonds (Laguna Honda Hospital, 1999), Series 2005I; approving the form and execution of a Declaration of Trust; approving the forms of an Official Notice of Sale and a Notice of Intention to Sell Bonds; authorizing the solicitation of competitive bids for the sale of the Bonds; approving the form, execution and distribution of an Official Statement; approving the form of and authorizing the City's compliance with a Continuing Disclosure Certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to city officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said Bonds.

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

43. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

44. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 45 through 50

45. 051381 [Potrero-Hunters Point 115 kV Cable Project Property License]

Supervisor Maxwell

Resolution approving Port License No. 13873, a non-exclusive sixty-six (66) year license between the Port and Pacific Gas and Electric Company (PG&E) for the use of Port property along the route for the Potrero-Hunters Point 115 kV Cable Project, in the vicinity of Illinois Street, 23rd Street, Tennessee Street, Marin Street and Evans Avenue, between Selby and Third Street.

8/2/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

46. 051384 [AIDS Pandemic in Brazil]

Supervisors Ammiano, Daly, Mirkarimi, Dufty

Resolution urging Abbott, Merck and Gilead corporations to expedite the issuance of voluntary AIDS/HIV drug licenses to the country of Brazil in order to save tens of millions of lives in Brazil and throughout the developing world and to raise the standard of corporate global citizenship and exemplify extraordinary compassion in corporate business practices that will contribute to mitigation of the worldwide AIDS/HIV pandemic.

8/2/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

47. 051385 [Commending National Night Out and declaring August 2, 2005, as "National Night Out Day" in the City and County of San Francisco]

Supervisor Ma

Resolution commending National Night Out for the relationships and partnerships it has built in our communities and declaring August 2, 2005, to be "National Night Out Day" in the City and County of San Francisco.

8/2/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

48. 051386 [San Francisco City Hall Docent Day]

Supervisor Peskin

Resolution declaring September 27, 2005, "San Francisco City Hall Docent Day" in San Francisco.

8/2/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

49. 051389 **[Commending the Horizons Foundation of San Francisco for its work serving the Lesbian, Gay, Bisexual, and Transgender people and organizations of San Francisco]**

Supervisors Sandoval, Dufty

Resolution commending Horizons Foundation of San Francisco for its work serving the lesbian, gay, bisexual, and transgender community of San Francisco on the occasion of its 25th anniversary.

8/2/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

50. 051388 **[Authorizing preparation of Proponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 8, 2005 Election]**

Supervisor Peskin

Motion authorizing preparation of written Proponent ballot arguments and rebuttal ballot arguments for Charter Amendments and other Measures approved by the Board of Supervisors for submittal to the voters at the November 8, 2005 Election.

8/2/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

51. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from July 26, 2005 through August 1, 2005, for reference by President to appropriate committee on August 9, 2005.

051377 **[Settlement of Lawsuit - Daniel Curiel]**
Ordinance authorizing settlement of the lawsuit filed by Daniel Curiel against the City and County of San Francisco for $31,420.11; the lawsuit was filed on April 14, 2003 in San Francisco Superior Court, Case No. 419-362; entitled Daniel Curiel, et al., v. City and County of San Francisco, et al.
(City Attorney)

8/1/2005, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from July 26, 2005 through August 1, 2005, for reference by President to appropriate committee on August 9, 2005.

051361 **[Professional services agreement to provide to perform professional engineering services]**
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute and amend a professional services agreement with URS Corporation for an amount not to exceed $12,000,000 to provide professional engineering services for the Calaveras Dam Replacement Project.
(Public Utilities Commission)

7/29/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051373 **[Parking Regulations]**

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO PARKING, 10 PM TO 6 AM, EVERYDAY - ESTABLISH
Alemany Boulevard, both sides, between Sagamore and Crystal Streets.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Red Rock Way, from the driveway of #15 and #55 Red Rock Way driveway to 34 feet northerly and from the same driveway to 27 feet westerly.

NO PARKING ANYTIME - RESCIND
Wright Street, north side, from Holladay Avenue to Montcalm Street

RED (NO PARKING ANYTIME) ZONE - ESTABLISH
Montcalm Street, east side, from 126 feet north of York Street to 55 feet northerly

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Washburn Street, east side, from 56 feet to 120 feet north of Howard Street

RESIDENTIAL PERMIT PARKING AREA "L" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Rossi Avenue, west side, between Anza Street and Turk Boulevard (Unit block).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Lincoln Way, north side, from 41st Avenue to 100 feet easterly.

RESIDENTIAL PERMIT PARKING "A" AND "C" - RESCIND
PARKING METER AREA NO. 3 (1-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Broadway, south side, from Powell Street to 80-feet westerly

PARKING METERS, AREA NO. 4 (1-HOUR PARKING TIME LIMIT, 9 AM - 6 PM MONDAY THROUGH SATURDAY) - RESCIND
PARKING METERS, AREA NO. 4 (1-HOUR PARKING TIME LIMIT, 7 AM - 7 PM EVERYDAY) - ESTABLISH
Bay Street, south side, between Taylor and Mason Streets.

PARKING METERS, AREA NO. 4, (1-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - RESCIND
PARKING METERS, AREA NO. 3 (1-HOUR PARKING TIME LIMIT, 9 AM - 6 PM MONDAY THROUGH SATURDAY) - ESTABLISH
Mason Street, west side, from Bay Street to 65 feet southerly.

PARKING METERS, 2-HOUR, 9 AM TO 6 PM, MONDAY THROUGH FRIDAY -ESTABLISH
Bryant Street, west side, between 18th and Mariposa Streets.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Larkin Street, west side, between the north and south Fulton Street crosswalks.

TOUR BUS PARKING ONLY (15- MINUTE PARKING TIME LIMIT), 8 AM - 6 PM, EVERYDAY - ESTABLISH
Fulton Street, north side, between 115 feet east of Larkin Street and 125 feet west of Hyde Street (adds time limit to existing zone).
(Parking and Traffic Department)
(7/27/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and pa

rking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3030.)

7/28/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051374 **[STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
20th Avenue and Pacheco Street, stopping Pacheco Street at 20th Avenue, making this intersection an All-Way STOP;
La Playa and Judah Streets, stopping northbound La Playa Street, south of the Judah intersection in front of 1400 La Playa Street; and,
La Playa and Judah Streets, stopping westbound Judah Street at La Playa Street on the south side of 1396 La Playa Street.
(Parking and Traffic Department)
(7/27/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3030.)

7/28/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051375 **[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

ONE-WAY STREET - ESTABLISH
Wright Street, from Montcalm Street to Holladay Avenue, eastbound

MULTIPLE LEFT TURN LANES - RESCIND
Main Street, northbound, at Market Street
(Parking and Traffic Department)
(7/27/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3030.)

7/28/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051376 **[Settlement of Claim - David Caimotto]**

Resolution approving the settlement of the unlitigated claim for disability discrimination filed with the Equal Employment Opportunity Commission (EEOC) by David Caimotto against San Francisco for $101,000; claim was filed on December 28, 2004.
(City Attorney)

8/1/2005, RECEIVED AND ASSIGNED to Rules Committee.

051427 **[Petitions and Communications]**

Petitions and Communications received from July 26, 2005 through August 1, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on August 9, 2005.

From concerned citizens, regarding the unrest between labor and management in the City's hotels. (1)

From concerned citizens, submitting opposition to proposed legislation to initiate a fee for driving in downtown San Francisco. (2)

From concerned citizens, concerning homeownership in San Francisco. (3)

From Richard Bellerose, urging San Francisco hotel owners to meet reasonable demands for salary and benefits even if this results in higher costs for those visiting our city. (4)

From the Human Services Agency, submitting the 4th quarterly update for the Human Services Care Fund for fiscal year 2004-05. (5)

From Human Rights Commission, confirming that the Human Rights Commission did not enter into any sole source contracts during fiscal year 2004-05. (6)

From Department of Public Health, submitting list of sole source contracts entered into fiscal year 2004-05. (7)

From the Fine Arts Museums, submitting list of sole source contracts entered into fiscal year 2004-05. (8)

From Department of Public Works, regarding status of the broken main cover on the south side of Grove and Fillmore Streets. (Reference No. 20050524-005) Copy: Supervisor Mirkarimi (9)

From Department of Public Works, regarding status of repair of the empty sidewalk square at 616 Divisadero Street. (Reference No. 20050517-001) Copy: Supervisor Mirkarimi (10)

From Redevelopment Agency, regarding funding for the development of arts organizations, arts, initiatives or arts-related redevelopment. (Reference No. 20050621-010) Copy: Supervisor Daly (11)

From California Nurses Association, submitting notice that because of their failed efforts to reach a mutually acceptable contract with Sutter Health, members of the California Nurses Association who work for Sutter Health Hospitals will issue a 10 day notice of their intention to strike Sutter Hospitals on a date in August still to be determined. Copy: Each Supervisor (12)

From Rincon Hill Residents Association, regarding the Rincon Hill Area amendments, imposing development impact fees for the provision of necessary community infrastructure in DTR Districts. Copy: Each Supervisor, Files 050865, 050862, 050864 (13)

From Office of the Treasurer and Tax Collector, submitting the Bureau of Delinquent Revenue quarterly report for the period April 1, 2005 through June 30, 2005. (14)

From SEIU United Healthcare Workers West, regarding the impending, yet still avoidable healthcare crisis at Sutter Health hospitals in Northern California. (15)

From Law Offices of Stephen Williams, requesting a two-week continuance for appeal of Categorical Exemption for property located at 899 North Point Street. File 051222 (16)

From Planning Department, regarding the cost to the City incurred by mid-block curb cuts for auto access-egress on transit preferential streets. (Reference No. 20050614-001) Copy: Supervisor Mirkarimi (17)

From Planning Department, regarding proposed ordinance that requires all new and substantially renovated public-serving establishments install baby diaper-changing accommodations. File 050829 (18)

From Planning Department, submitting resolution that the Board of Supervisors adopt proposed ordinance that would change the use classification of two lots at the intersection of 18th and Sanchez Streets from RH-3 to NC-1 Districts with modifications. File 050633 (19)

From Planning Department, submitting resolution recommending the Board of Supervisors adopt proposed ordinance for property located at 425 Mason Street. File 051065 (20)

From Supervisor Peskin, submitting appointment of Debra Walker to the Building Inspection Commission, pursuant to Charter Section 4.121. (21)

From Department of Public Health, regarding recommendations for improving the oversight and maintaining the safety of neighborhoods and the environment in and around the surrounding neighborhoods of Sutro Tower. (Reference No. 20050503-012) Copy: Supervisor Elsbernd (22)

From Department of Public Health, regarding policy and legal measures for curtailing unsafe residential use of motorized scooters, mini-bikes, or hybrid/homemade motorized bikes by children or individuals that don't possess a valid operator's license. (Reference No. 20050621-013) Copy: Supervisors Mirkarimi, Maxwell, Dufty (23)

From Turtle Island Restoration Network, submitting support for proposed legislation to post Proposition 65 (mercury in fish warning signs) in Spanish and Chinese. File 050253, Copy: Supervisors McGoldrick, Dufty, Ma (24)

From Coblentz, Patch, Duffy & Bass LLP, submitting opposition to proposed legislation that prohibits the conversion of existing tourist hotel structures with 50 or more guestrooms to condominium projects or dwelling units. File 051333, Copy: Each Supervisor (25)

From Golden Gate Park Concourse Authority, regarding sole source contracts. (26)

From Ron Gallman, submitting his resignation from the Arts Task Force. Copy: Rules Committee Clerk (27)

From Municipal Transportation Agency, submitting request for waiver of Administrative Code Chapters 12B and 12C for Ramada Plaza International. (28)

From Mark Rennie, submitting request for a type 42 liquor license for Bakhshish Kaur, dba SF Comedy Club located at 50 Mason Street. (29)

From Department of Elections, regarding an error in connection with the tabulation of assessment ballots cast by property owners in connection with the formation of the Fisherman's Wharf Community Benefit District. File 051241, Copy: Each Supervisor (30)

From concerned citizens, urging the Board of Supervisors to support the preservation of the historic Sacred Heart Church. File 051346 (31)

From Julianne Hunt, submitting opposition to naming the grand staircase in City Hall after Charlotte Mailliard-Schultz. File 051335, Copy: Supervisor Peskin (32)

From Commission on the Status of Women, submitting support for proposed legislation that would broaden the scope of human rights analysis to promote equitable governance, and secure rights to health care, housing, education, and justice for all. (33)

From concerned citizens, submitting support for bringing the battleship Iowa to San Francisco. File 051113, Copy: Each Supervisor (34)

From Francisco Camplis, urging the Board of Supervisors to include in the Rincon Hill deal a minipark and mural that memorializes the fact that in the 1930's a large Mexican and Latino community was removed from the Rincon Hill neighborhood to make way for the SF Bay Bridge. Copy: Supervisors Daly, Sandoval, Mirkarimi, Ammiano (35)

From concerned citizens, submitting opposition to proposal to build a Home Depot Center in the Bernal Heights neighborhood. (36)

From West of Twin Peaks Central Council, submitting copy of letter sent to the Planning Commission requesting continuance of the Better Neighborhoods Planning and Implementation Process Ordinance until some date in late September. File 050601, Copy: Each Supervisor (37)

From Pam Hemphill, submitting opposition to granting a Minor Sidewalk Encroachment to the property at 405 Hill Street. File 051270, Copy: Each Supervisor (38)

From Judith Hoyem, urging the Board to save the house at 39 Chattanooga from development. File 051320, Copy: Each Supervisor (39)

From Julia Viera, submitting her resignation from the Mayor's Graffiti Advisory Board, effective immediately. (40)

From Mary Miles, submitting notice of intent to file a petition against adoption of the San Francisco Bicycle Plan and General Plan amendments to implement and incorporate the Bicycle Plan, and the City's Notice of Exemption dated June 23, 2005. Copy: City Attorney (41)

From Jerry Kangas, urging the Board of Supervisors to restore the City's AIDS spending to fiscal year 2003-04 levels. (42)

From Department of Elections, submitting invitation to participate in the pilot program or "mock election" on the proposed voting system before a new system is implemented throughout the City. Copy: Each Supervisor (43)

From Access SF Development, announcing the first phase of overhaul and expansion of the Cable Channel 29 Community Bulletin Board. (44)

From David Grace, submitting his concern with Comcast Cable service. (45)

From Ahimsa Sumchai, concerning lawsuit filed to halt development of the Hunters Point Shipyard. (46)

From Emergency Communications Department, certifying that the funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (47)

From Department of Public Health, certifying that the funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (48)

From Kahn & Keville Tire and Auto Service, submiting opposition to inclusion in the proposed North of Market/Tenderloin Community Business District, located in Assessor's Parcel 0741-002, 500 Turk Street. File 051245, Copy: Each Supervisor (49)

From Department of Public Works, regarding status of repair of the potholes at 783 Divisadero, 803 Divisadero and 857 Divisadero Streets. (Reference No. 20050719-005) Copy: Supervisor Mirkarimi (50)

From DTIS, submitting list of sole source contracts entered into in fiscal year 2004-05. (51)

From Department of Public Health, concerning the disposal of syringes on Cole Street betwen Haight and Page Streets. (Reference no. 20050607-001) Copy: Supervisor Mirkarimi (52)

From Fine Arts Museums, submitting list of sole source contracts enteed into fiscal year 2004-05 and Fine Arts report for Spring/Summer 2005. (53)

From Ronald Peluso, submitting his complaint about the jury process. Copy: Supervisor Peskin (54)

From Susan Cervantes, urging the Board of Supervisros to help save the Cervantes Family House in the Mission District of San Francisco. (55)

APPOINTMENTS BY THE MAYOR
Human Rights Commission
Nazly Mohajer

ADJOURNMENT

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.
AUG 12 2005
SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, August 16, 2005 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Ammiano, Mirkarimi, Elsbernd	Thursday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns, Delegate Wong	2nd Monday (Bi-Monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Peskin, Elsbernd, Daly	2nd and 4th Monday 1:00 PM
Land Use Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Alioto-Pier, Mirkarimi, Peskin	Wednesday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices. (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Meeting Minutes for July 19, 2005.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 14

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

1. 051220 **[Parking Fine Penalty Schedule]**
Ordinance amending San Francisco Traffic Code Section 132 to reference the correct California Vehicle Code subsection for covering a license plate.
(Parking and Traffic Department)

8/9/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

2. 051231 **[Department of Building Inspection Cash Revolving Fund]**
Ordinance amending San Francisco Administrative Code Section 10.135 to increase the Cash Revolving Fund of the Department of Building Inspection from $200 to $600.

8/9/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

3. **051256** **[Sale of Surplus Property located at Manzano Way at Oak Creek Way in the City of Sunnyvale, Santa Clara County]**

Resolution approving the public auction sale of unimproved surplus real property located on Manzano Way at Oak Creek Way in the City of Sunnyvale, Santa Clara County for a purchase price of $690,000; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution.
(Real Estate Department)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use Committee

Present: Supervisors Maxwell, Sandoval

4. **051128** **[Designate 1110 Taylor Street, the Glazer-Keating as as a Landmark]**
Supervisor Peskin

Ordinance Designating 1110 Taylor Street, the Glazer-Keating House, As Landmark No. 251 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code.
(Planning Department)

8/9/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present Supervisors Alioto-Pier, Mirkarimi, Peskin

5. 051349 **[Settlement of Lawsuit - Shao Xi Tan]**
Ordinance authorizing settlement of the lawsuit filed by Shao Xi Tan against the City and County of San Francisco for $80,000; the lawsuit was filed on August 22, 2003 in the United States District Court, Case No. C03-3907 MMC; entitled Shao Xi Tan, et al. v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

6. 051350 **[Settlement of Lawsuit - San Francisco Bay Area Transit District]**
Ordinance approving settlement of litigation brought by the San Francisco Bay Area Transit District against City and County of San Francisco in the eminent domain action entitled San Francisco Bay Area Transit District v. City and County of San Francisco, et al. (Alameda County Superior Court No. HG03-099024, filed July 7, 2003), for a total value of $2,750,000.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

7. 051377 **[Settlement of Lawsuit - Daniel Curiel]**
Ordinance authorizing settlement of the lawsuit filed by Daniel Curiel against the City and County of San Francisco for $31,420.11; the lawsuit was filed on April 14, 2003 in San Francisco Superior Court, Case No. 419-362; entitled Daniel Curiel, et al., v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

8. 051376 **[Settlement of Claim - David Caimotto]**
Resolution approving the settlement of the unlitigated claim for disability discrimination filed with the Equal Employment Opportunity Commission (EEOC) by David Caimotto against San Francisco for $101,000; claim was filed on December 28, 2004.
(City Attorney)

Question: Shall this Resolution be ADOPTED?

9. 051351 **[Settlement of Claim - Andrea Runge]**
Resolution approving the settlement of the unlitigated claim by Andrea Runge against the City and County of San Francisco and Michael Scott for $45,000.
(City Attorney)

Question: Shall this Resolution be ADOPTED?

10. 051269 [Agreement for Tolling of Statute of Limitations Governing Claim]

Resolution approving the City Attorney's entry into a tolling agreement governing claim by USDA Forest Service filed February 2, 2005 arising from Stanislaus National Forest fire of August 9, 2004. (City Attorney)

Question: Shall this Resolution be ADOPTED?

11. 051423 [Appointment - Treasury Oversight Committee]

Resolution appointing Philip Day, Jr., term ending June 5, 2009, to the Treasury Oversight Committee.

Philip Day, Jr., succeeding himself, term expired, seat 1, must the Chancellor of the Community College District or his/her designee, for the unexpired portion of a four-year term ending June 5, 2009.

Question: Shall this Resolution be ADOPTED?

12. 051424 [Appointment - Commission on the Aging Advisory Council]

Resolution appointing William Hollabaugh, term ending March 31, 2007, to the Commission on the Aging Advisory Council.

William Hollabaugh, succeeding himself, term expired, seat 11, must be nominee of District 9 Supervisor, for the unexpired portion of a two-year term ending March 31, 2007.

Question: Shall this Resolution be ADOPTED?

13. 051425 [Appointment - Bicycle Advisory Committee]

Resolution appointing Lisa Estrella, term ending November 19, 2006, to the Bicycle Advisory Committee.

Lisa Estrella, succeeding Janice Voorsluys, seat 4, resigned, must be nominee of District 4 Supervisor, for the unexpired portion of a two-year term ending November 19, 2006.

Question: Shall this Resolution be ADOPTED?

14. 051428 [Appointment - Arts Task Force]

Resolution appointing Karen Ames, term ending November 1, 2005, to the Arts Task Force.

Karen Ames, succeeding Ronald Gallman, seat 13, resigned, must serve as a director, staff member or board member of a non-profit arts organization based in San Francisco with an annual budget exceeding five million dollars, for the unexpired portion of a six-month term ending November 1, 2005.

Question: Shall this Resolution be ADOPTED?

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:*_____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

15. 050591 **[Inclusion of transit, pedestrian, and bicycle improvements as part of street improvement projects]**

Supervisor Mirkarimi

Ordinance amending the Public Works Code to add Section 2.4.13 to require the integration of transit, pedestrian, and bicycle improvements as part of the planning, construction, reconstruction, or repaving of public right-of-ways.

8/9/2005, AMENDED.

8/9/2005, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisor Peskin, Elsbernd, Daly

16. 051358 **[Appropriate General Obligation Bond sale proceeds from the 2005A and 2005I series to fund the Laguna Honda Replacement Program and bond issuance costs for the Department of Public Works]**

Supervisor Elsbernd

Ordinance appropriating $39,328,014 of General Obligation Bond proceeds from the sale of the 2005A Series and appropriating, and placing on reserve, $69,000,000 from the General Obligation Bond proceeds from the 2005I Series for a total of $108,328,014 to fund the Laguna Honda Replacement Program and bond issuance costs for the Department of Public Works for fiscal year 2005-06.

(Fiscal impact.)

8/9/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use Committee

Present: Supervisors Maxwell, Peskin

17. 051333 [Tourist Hotel Conversion]

Supervisors Peskin, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Sandoval

Ordinance amending the San Francisco Administrative Code to add Chapter 41F to prohibit the conversion of existing tourist hotel structures with 100 or more tourist guest rooms to condominium projects or dwelling units, with certain exceptions; and adopting findings, including environmental findings.

8/9/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

8/9/2005, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

18. 051005 [Cable Television Franchise Amendments]

Mayor

Ordinance amending Ordinance No. 105-64, as amended by Ordinance Nos. 528-88, 315-89, 42-91, 42-97, and 266-99, by amending sections 1, 9, 24.3, 25, 25.5, 27.2, 31, and 32 and Appendix C to extend the term of the franchise and to clarify and expand the obligations of the Comcast of California III, Inc.

8/9/2005, CONTINUED. Continued to August 16, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 051006 [Settlement of Claims - Comcast of California III, Inc.]

Mayor

Ordinance approving the settlement of certain non-litigated claims on behalf of the City and County of San Francisco against Comcast of California III, Inc.

8/9/2005, CONTINUED. Continued to August 16, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

CLOSED SESSION

20. 051408 **[Closed Session - Potential Litigation, Comcast of California III]**

Supervisor McGoldrick

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding potential litigation and a settlement involving the City related to the renewal of the cable franchise for Comcast of California III. The settlement resolves the City's unlitigated claims against Comcast California III for $3.5 million, extends the franchise for 4 years, and modifies the terms of the franchise in several ways, including increasing funding for public access, educational and government programming. Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d) permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the potential litigation.

Question: Shall this Motion be APPROVED?

After a closed session, if one occurs, the President shall (1) request the Deputy City Attorney to identify the subjects discussed in the closed session, and (2) direct the Clerk of the Board to report the vote taken on any motion in the closed session.

[Elect To Disclose]
Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

21. 051257 [Sweatfree Ordinance]

Mayor, Supervisors Ammiano, Alioto-Pier, Daly, Mirkarimi, Maxwell, McGoldrick, Dufty, Ma

Ordinance amending the San Francisco Administrative Code by adding Chapter 12U, finding that the City would benefit by spending its funds in a manner that would support safe and humane working conditions; requiring contractors and subcontractors providing goods to the City and County to comply with laws and standards affecting labor and employment conditions for employees performing work under the contract and subcontracts, including: not engaging in abusive forms of child labor, foreign convict or forced labor, or slave labor; and compliance with all human and labor rights and labor standards imposed by law or treaty law on the country where the goods are being made or assembled; paying wages that are not less than a minimum wage established by the Director of the Office of Contract Administration; compliance with all applicable laws governing wages, employee benefits, health and safety, labor, environmental conditions, nondiscrimination, freedom of association; creating the Sweatfree Procurement Advisory Group to make recommendations on the implementation, administration or enforcement of this Chapter to the Director of the Office of Contract Administration and the Office of Labor Standards Enforcement; targeting the procurement of garments for enforcement of this Chapter during the first full fiscal year following the effective date of the Chapter, and, thereafter, targeting other goods for enforcement based on recommendations of the Sweatfree Procurement Advisory Group submitted by the Director of the Office of Contract Administration to the Board of Supervisors and approved by ordinance.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. 051122 [IHSS Contract Modification Approval – San Francisco IHSS Public Authority]

Resolution retroactively approving the modification of the contract between the City and County of San Francisco and San Francisco In-Home Supportive Services (IHSS) Public Authority, which expires on June 30, 2006, for the provision of health and dental benefits to IHSS Independent Providers, in the amount of $11,872,058, for a total contract amount of $68,190,161.

(Human Services Department)

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

23. 051123 [IHSS Contract Approval – IHSS Consortium of San Francisco]

Resolution retroactively approving the contract between the City and County of San Francisco and the IHSS Consortium of San Francisco for the provision of In-Home Supportive Services for the period from July 1, 2005 to June 30, 2008, in the amount of $51,433,291.

(Human Services Department)

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

24. 051239 **[Lease of Real Property at One South Van Ness Avenue]**
Resolution authorizing the exercise of an option to lease 66,351 square feet of space on the fifth floor at One South Van Ness Avenue for the Mayor's Office of Housing and the Mayor's Office of Community Development and authorizing a 39,644 square foot sublease of such area to the San Francisco Redevelopment Agency.
(Real Estate Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, Sandoval

25. 050739 **[SLI Zoning District - Allowing Certain Financial Services]**
Supervisor Daly
Ordinance amending the San Francisco Planning Code by amending Table 817 to add Section 817.32 allowing a financial service use in an SLI (Service/Light Industrial) Zoning District under certain circumstances; adopting findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

26. 051121 **[Street Encroachment at 815 Francisco Street]**
Resolution granting revocable permission to Launce E. Gamble, Trustees, to occupy a portion of the public right-of-way to construct and maintain a new two-car garage, to encroach approximately 28 feet into the unimproved public sidewalk right-of-way, as per existing neighborhood pattern, fronting 815 Francisco Street (Block 0048, Lot 019), conditioned upon the payment of an annual assessment fee of $4,800, and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 PM

Board of Supervisors Sitting as a Committee of the Whole

(Pending approval of File 051418.)

27. **051434** **[Public Hearing]**
Hearing of persons interested in or objecting to a proposed Ordinance amending the San Francisco Police Code, by adding a new Article 11.1, beginning with Section 788, to prohibit the display of human remains without appropriate written authorization from the deceased or the deceased's next-of-kin.
(Clerk of the Board)

Action:_____

Committee of the Whole Adjourn and Report Without Recommendation

Called From the City Operations and Neighborhood Services Committee

28. **051034** **[Prohibiting the display of human remains without appropriate written authorization from the deceased or the deceased's next-of-kin]**
Supervisors Ma, Dufty, Daly, Sandoval
Ordinance amending the San Francisco Police Code, by adding a new Article 11.1, beginning with Section 788, to prohibit the display of human remains without appropriate written authorization from the deceased or the deceased's next-of-kin.

8/2/2005, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Daly called this measure from City Operations and Neighborhood Services Committee.

8/9/2005, CONTINUED. Continued to August 16, 2005
Supervisor Sandoval requested to be added as a co-sponsor.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

29. 051226 **[Public Hearing - Appeal of Final Mitigated Negative Declaration for 800 Brotherhood Way]**

Hearing of persons interested in or objecting to the decision of the Planning Department, certified on May 19, 2005, approving a Final Mitigated Negative Declaration (Case No. 2003.0536E), for the proposed construction of up to 182 dwelling units on an approximately 7.7 acre undeveloped site located on the north side of Brotherhood Way, west of Chumasero Drive, east of Lake Merced Boulevard. The project would involve subdividing the site into about 121 lots and constructing 60 single-family homes and 61 2-unit dwellings. The 121 buildings would be between 3 and 4 stories tall, with heights up to 40 feet, and would total about 444,273 gross square feet. A mix of independently accessible and tandem parking spaces would be provided, for a total of 364 off-street parking spaces. Twenty-one on-street parking spaces would also be created along a new two-way internal private loop road. Access to the site would be via a new driveway on the unimproved portion of the north side of Brotherhood Way abutting the site. There would be a traffic signal at the new access driveway and Brotherhood Way intersection that would be interconnected with the existing signals at Brotherhood Way/School (Church) Access Road, located about 330 feet to the west, and the Chumasero Drive/Brotherhood Way intersection, about 560 feet to the east. The project site is located in an RM-1 (Mixed Residential, Low Density) District and a 40-X Height and Bulk District. The proposed project would require approval of a Conditional Use Authorization for a Planned Unit Development and exceptions for minimum lot sizes, minimum rear yards depths, and bay window dimension. (Appellants: June 17, 2005, filed by Julian P. Lagos on behalf of ParkMerced Residents Association; June 20, 2005, filed by Adena Rosmarin on behalf of Lakeshore Acres Improvement Club.)

(Companion measure to Files 051227, 051228, 051229; District 7.)

7/19/2005, CONTINUED. Continued to August 16, 2005

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the final mitigated negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

30. 051227 [Affirming adoption of the negative declaration for 800 Brotherhood Way]
Motion affirming Planning Commission adoption of the final negative declaration for 800 Brotherhood Way.
(Clerk of the Board)

7/19/2005, CONTINUED. Continued to August 16, 2005
Question: Shall this Motion be APPROVED?

31. 051228 [Reversing adoption of the negative declaration for 800 Brotherhood Way]
Motion reversing the Planning Commission adoption of the final negative declaration for 800 Brotherhood Way.
(Clerk of the Board)

7/19/2005, CONTINUED. Continued to August 16, 2005
Question: Shall this Motion be APPROVED?

32. 051229 [Preparation of findings to reverse adoption of the negative declaration for 800 Brotherhood Way]
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the negative declaration for 800 Brotherhood Way.
(Clerk of the Board)

7/19/2005, CONTINUED. Continued to August 16, 2005
Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the City Operations and Neighborhood Services Committee at a Regular Meeting on Monday, August 15, 2005 at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, August 16, 2005.

33. 051379 [Liquor License, 572 Castro Street]
Resolution determining that the issuance of a Type 42 on-sale beer and wine license to Ken McDonald, for Friendly Spirits located at 572 Castro Street, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with section 23958.4 of the California Business and Professions Code with conditions.

Question: Shall this Resolution be ADOPTED?

34. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

35. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 36 through 47

36. 051418 **[Committee of the Whole - August 16, 2005 at 3:00 PM]**

Supervisor Daly

Motion to sit as a Committee of the Whole on August 16, 2005 at 3:00 PM to hear File Number 051034 prohibiting the display of human remains without appropriate written authorization from the deceased or the deceased's next-of-kin.

8/9/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

37. 051409 **[Issuance and Sale of Revenue Bonds - 1030 Post Street Apartments]**

Supervisor Peskin

Resolution approving the issuance and sale of revenue bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $7,000,000 for the financing of the acquisition and rehabilitation of the 1030 Post Street Apartments.

8/9/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

38. 051419 **[Endorsing the Regional Measure 2 Late Night Owl Bus Service Proposal]**

Supervisor Dufty

Resolution endorsing the Regional Measure 2 Late Night Owl Bus Service Proposal.

8/9/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

39. 051420 [Urging the DPT to install a stop light at the intersection of Market and Hattie Streets]

Supervisor Dufty

Resolution urging the Department of Parking and Traffic to install a stop light at the intersection of Market and Hattie Streets.

8/9/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 051421 [Honoring Dr. Donald Abrams and the Community Consortium for their outstanding contributions to HIV/AIDS healthcare and research upon the 20th anniversary of the Consortium's establishment]

Supervisor Dufty

Resolution honoring Dr. Donald Abrams and the Community Consortium for their outstanding contributions to HIV/AIDS healthcare and research upon the 20th anniversary of the Consortium's establishment.

8/9/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

41. 051422 [Accept-Expend Private Grant - Department on the Status of Women]

Supervisor Ma

Resolution authorizing the Department on the Status of Women to accept retroactively and expend unexpended funds from a grant from The California Endowment, in the amount of $40,000, which funds shall be used to fund the design and implementation of a customized plan for raising multiple year operating funds by Woman Organized to Make Abuse Nonexistent, Inc. (W.O.M.A.N., Inc.)

8/9/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 051429 [Urging the MTA to approve the Arthur H. Coleman Medical Center community's request for sidewalk width reduction to establish perpendicular parking on Ingerson Street]

Supervisor Maxwell

Resolution urging the Municipal Transportation Authority to approve the Arthur H. Coleman Medical Center community's request for sidewalk width reduction to establish perpendicular parking on Ingerson Street.

8/9/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. 051430 [Authorizing Application for BEGIN Funds]

Supervisor Maxwell

Resolution authorizing the submittal of an application to the California State Department of Housing and Community Development for funding under the BEGIN Program; the execution of a standard agreement if selected for such funding and any amendments thereto; the execution of a designation agreement if selected for such funding and any amendments thereto; the execution of any related documents necessary to participate in the BEGIN Program.

8/9/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

44. 051431 **[Commending Catholic Healthcare West, Saint Francis, and St. Mary's hospitals]**

Supervisors McGoldrick, Daly, Elsbernd, Alioto-Pier

Resolution commending Catholic Healthcare West (CHW), Saint Francis, and St. Mary's hospitals for their commitment to working with the Department of Public Health to protect and enhance the provision of health care services to vulnerable populations.

8/9/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

45. 051432 **[Support of House Resolution 367 Condemning bigotry, violence and discrimination against Iranian-Americans]**

Supervisor Mirkarimi

Resolution in support of House Resolution 367 condemning bigotry, violence and discrimination against Iranian-Americans.

8/9/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

46. 051433 **[Commending Habitat for Humanity San Francisco]**

Supervisor Sandoval

Resolution commending Habitat for Humanity San Francisco for its extraordinary work providing affordable housing in San Francisco and celebrating the groundbreaking of twelve new homes at the De Long Terrace Project.

8/9/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

47. 051407 **[Needle Exchange Emergency]**

Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

8/9/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

48. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from August 2, 2005 through August 8, 2005, for reference by President to appropriate committee on August 16, 2005.

051378 **[Sale of City Property located at 425 Mason Street, San Francisco]**
Ordinance ordering the sale at public auction of City-owned property located at 425 Mason Street; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the sale is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing other actions in furtherance of this ordinance.

8/5/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from August 2, 2005 through August 8, 2005, for reference by President to appropriate committee on August 16, 2005.

051406 **[Lease of Real Property at One South Van Ness Avenue]**
Resolution authorizing the exercise of an option to lease 34,683 square feet of space at One South Van Ness Avenue for the Municipal Transportation Agency of the City and County of San Francisco. (Real Estate Department)

8/8/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051444 [Petitions and Communications]

Petitions and Communications received from August 2, 2005 through August 8, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on August 16, 2005.

From R. Warren Langley, submitting his resignation from the Utility Task Force, effective immediately. Copy: Supervisor Peskin (1)

From Marilyn Amini, submitting request for continuance of proposed legislation regarding the "Better Neighborhoods Planning and Implementation Process" and proposed legislation regarding extension of Planning Commission review period until October 5, 2005. (2)

From Assistant Clerk of the Board, submitting notice that the Board of Supervisors' Government Audit and Oversight Committee conducted a public hearing to discuss the findings and recommendations of the Civil Grand Jury and the Juvenile Probation Department's response to the report on July 25, 2005. File 050870, Copy: Each Supervisor (3)

From Assistant Clerk of the Board, submitting notice that the Board of Supervisors' Government Audit and Oversight Committee conducted a public hearing to discuss the findings and recommendations of the Civil Grand Jury and the Ethics Commission's response to the report on July 25, 2005. File 050869, Copy: Each Supervisor (4)

From Ethics Commission, submitting response to the Civil Grand Jury Report "The San Francisco Ethics Commission Budgeting and Staffing Issues" issued May 17, 2005. File 050869 (5)

From Supervisor Maxwell, submitting an overview of the policy objectives achieved through proposed amendments to the Rincon Hill Plan. File 050865, Copy: City Attorney (6)

From Public Utilities Commission, submitting list of sole source contracts entered into fiscal year 2004-05. (7)

From Faithful Fools Street Ministry, requesting the Department of Elections' review their calculation of the proposed Tenderloin C.B.D. assessment for 230 Hyde Street, Assessor's Parcel Number 0337-013. File 051245 (8)

From Catherine Lee, urging the Board of Supervisors to go back to the negotiating table and get Comcast Cable to provide adequate, sustainable funding for public access over the next four years. Files 051293, 051006 (9)

From City Librarian, submitting the Quarterly Branch Library Improvement Program's Report for the second quarter of 2005, April through June. (10)

From Immigrant Rights Commission, submitting findings that Municipal Transportation Agency (Muni) is in non-compliance with the Equal Access to City Services Ordinance. (11)

From European/American Issues Forum, urging the Board of Supervisors to support a resolution urging the US Patent and Trademark Office to accept the application from Justin Moritz to trademark the name "White Pride Country Wide". (12)

From concerned citizens, submitting opposition to traffic in the Music Concourse and support for Option 2B as a second choice. (13)

From concerned citizens, submitting opposition to proposed legislation that prohibits the conversion of existing tourist hotel structures with 50 or more guestrooms to condominium projects or dwelling units. File 051333, Copy: Land Use Committee (14)

From Law Offices of Stephen Williams, confirming that both parties have agreed to continue the public hearing on appeal of categorical exemption from environmental review for 899 North Point Street until September 13, 2005. File 051222, Copy: Each Supervisor, City Attorney (15)

From Department of Telecommunications and Information Services, regarding proposed Comcast Settlement and Franchise Amendments before the Board. Files 051005, 051006, Copy: Each Supervisor (16)

From the Sheriff's Department, submitting list of sole source contracts entered into in fiscal year 2004-05. (17)

From Department of Children, Youth and their Families, certifying that the funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (18)

From SF Children and Families Commission, certifying that the funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (19)

From Department of Public Health, regarding Laguna Honda Hospital's progress to date on the reversal of the Admission Policy priorities that took place February 22, 2005. Copy: Budget and Finance Committee (20)

From concerned citizens, submitting opposition to proposal to build a Home Depot Center in the Bernal Heights neighborhood. (21)

From concerned citizens, submitting support to proposal to build a Home Depot Center in the Bernal Heights neighborhood. (22)

From concerned citizens, urging the Board to save the house at 39 Chattanooga Street from development. File 051320, Copy: Each Supervisor (23)

From Department of Telecommunications and Information Services, submitting list of sole source contracts entered into in fiscal year 2004-05. (24)

From Department of Public Works, regarding status of removal of graffiti at 2863 California Street. (Reference No. 20050726-002) Copy: Supervisor Mirkarimi (25)

From concerned citizens, requesting a procedural hearing on the issue of standing of appeal the conditional use authorization for 800 Brotherhood Way. File 051234, Copy: Each Supervisor (26)

From Eric, commenting on the fee increase for a residential parking ticket. Copy: Each Supervisor (27)

From Jordan O'Brien, commenting that the Department of Parking and Traffic has become a monster merely out for money. (28)

From concerned citizens, concerning homeownership in San Francisco. (29)

From concerned citizens, regarding the unrest between labor and management in the City's hotels. (30)

From Budget Analyst, regarding the management audit of the Recreation and Park Department. (31)

From Chris Witt, submitting support for a bag fee at grocery stores. (32)

From Joseph & Anne Marie Vingo, thanking Supervisor Alioto-Pier for her article in the "New Fillmore" newspaper regarding the USS Iowa. Copy: Supervisor Alioto-Pier (33)

From Patrick Missud, submitting copy of letter sent to LDC Collection Systems disputing the full amount of parking citation #625826132. (34)

From Kristina Saar, submitting support for bringing the battleship Iowa to San Francisco. File 051113 (35)

From concerned citizens, urging the Board to enact a Community Choice Energy plan. Copy: Each Supervisor (36)

From Tara Mannini, requesting a proclamation to mark the 50th anniversary of the San Francisco Sound Wave Chorus of Sweet Adelines International, an all women's chorus that sings barbershop harmony in San Francisco. Copy: Each Supervisor (37)

From Department of Building Inspection, submitting list of sole source contracts entered into in fiscal year 2004-05. (38)

From Clerk of the Board, submitting report of city departments that entered into sole source contracts in fiscal year 2004-05. (39)

From Amy Chen, commenting that some Chinese businesses are not writing signs and menus in English. Copy: Supervisor Ma (40)

From Herrlich, submitting two suggestions to improve customer service at Muni after his unpleasant experience at the Embarcadero Muni Station: #1 install a coin changer that will change the dollar coins you provide into quarters – or fix the machine so it gives four dollar coins and four quarters and #2 talk to the station agent and remind her that her job is to help people not yell at people. Copy: Muni (41)

From Darlene Roberts, urging the Board to do something about tour buses that leave their engine running while the tourist's view the painted ladies on Steiner Street. Copy: Supervisor Mirkarimi (42)

ADJOURNMENT

BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

BOARD OF SUPERVISORS
RECESS

Notice is hereby given that the Board of Supervisors will be in recess from August 17, 2005 through September 5, 2005.

The next regularly scheduled Board of Supervisors meeting, after recess, will be held on Tuesday, September 6, 2005.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT
SEP - 2 2005
SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, September 6, 2005 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Ammiano, Mirkarimi, Elsbernd	Thursday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns, Delegate Wong	2nd Monday (Bi-Monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Peskin, Elsbernd, Daly	2nd and 4th Monday 1:00 PM
Land Use Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Alioto-Pier, Mirkarimi, Peskin	Wednesday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices. (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100j to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Meeting Minutes for July 26, 2005 and August 2, 2005.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 6

Recommendation of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

051257 **[Sweatfree Ordinance]**
Mayor, Supervisors Ammiano, Alioto-Pier, Daly, Mirkarimi, Maxwell, McGoldrick, Dufty, Ma, Sandoval
Ordinance amending the San Francisco Administrative Code by adding Chapter 12U, finding that the City would benefit by spending its funds in a manner that would support safe and humane working conditions; requiring contractors and subcontractors providing goods to the City and County to comply with laws and standards affecting labor and employment conditions for employees performing work under the contract and subcontracts, including: not engaging in abusive forms of child labor, foreign convict or forced labor, or slave labor; and compliance with all human and labor rights and labor standards imposed by law or treaty law on the country where the goods are being made or assembled; paying wages that are not less than a minimum wage established by the Director of the Office of Contract Administration; compliance with all applicable laws governing wages, employee benefits, health and safety, labor, environmental conditions, nondiscrimination, freedom of association; creating the Sweatfree Procurement Advisory Group to make recommendations on the implementation, administration or enforcement of this Chapter to the Director of the Office of Contract Administration and the Office of Labor Standards Enforcement; targeting the procurement of garments for enforcement of this Chapter during the first full fiscal year following the effective date of the Chapter, and, thereafter, targeting other goods for enforcement based on recommendations of the Sweatfree Procurement Advisory Group submitted by the Director of the Office of Contract Administration to the Board of Supervisors and approved by ordinance.
(Fiscal impact.)

8/16/2005, PASSED ON FIRST READING. Supervisor Sandoval requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

2. 051294 **[Fillmore and Grove "STOP" Intersection]**
Supervisor Mirkarimi
Resolution designating Fillmore and Grove as a "STOP" intersection.

STOP SIGNS - ESTABLISH
Fillmore and Grove, stopping northbound and southbound Fillmore, making this intersection an All-Way STOP.
(7/11/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Land Use Committee

Present Supervisors Maxwell Sandoval

3. 050739 **[SLI Zoning District - Allowing Certain Financial Services]**
Supervisor Daly
Ordinance amending the San Francisco Planning Code by amending Table 817 to add Section 817.32 allowing a financial service use in an SLI (Service/Light Industrial) Zoning District under certain circumstances; adopting findings.

8/16/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present Supervisors Alioto-Pier, Mirkarimi, Peskin

4. 051349 **[Settlement of Lawsuit - Shao Xi Tan]**
Ordinance authorizing settlement of the lawsuit filed by Shao Xi Tan against the City and County of San Francisco for $80,000; the lawsuit was filed on August 22, 2003 in the United States District Court, Case No. C03-3907 MMC; entitled Shao Xi Tan, et al. v. City and County of San Francisco, et al.
(City Attorney)

8/16/2005, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

5. 051350 **[Settlement of Lawsuit - San Francisco Bay Area Transit District]**
Ordinance approving settlement of litigation brought by the San Francisco Bay Area Transit District against City and County of San Francisco in the eminent domain action entitled San Francisco Bay Area Transit District v. City and County of San Francisco, et al. (Alameda County Superior Court No. HG03-099024, filed July 7, 2003), for a total value of $2,750,000.
(City Attorney)

8/16/2005, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

6. 051377 **[Settlement of Lawsuit - Daniel Curiel]**
Ordinance authorizing settlement of the lawsuit filed by Daniel Curiel against the City and County of San Francisco for $31,420.11; the lawsuit was filed on April 14, 2003 in San Francisco Superior Court, Case No. 419-362; entitled Daniel Curiel, et al., v. City and County of San Francisco, et al.
(City Attorney)

8/16/2005, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

051441 **[Motion adopting findings related to the categorical exemption issued for 39 Chattanooga Street]**

Motion adopting findings related to the determination by the Planning Department that the 39 Chattanooga Street project is categorically exempt from environmental review under the California Environmental Quality Act.

(Clerk of the Board)

(Companion measure to Files 051320, 051321, 051311, 051323.)

8/12/2005, REFERRED to Board of Supervisors.

Question: Shall this Motion be APPROVED?

Called From the City Operations and Neighborhood Services Committee

051034 **[Prohibiting the display of human remains without appropriate written authorization from the deceased or the deceased's next-of-kin]**

Supervisors Ma, Dufty, Daly, Sandoval

Ordinance amending the San Francisco Police Code, by adding a new Article 11.1, beginning with Section 788, to prohibit the display of human remains without appropriate written authorization from the deceased or the deceased's next-of-kin.

8/2/2005, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Daly called this measure from City Operations and Neighborhood Services Committee.

8/9/2005, CONTINUED. Continued to August 16, 2005
Supervisor Sandoval requested to be added as a co-sponsor.

8/16/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

From the Land Use Committee Without Recommendation

Present: Supervisors Maxwell, Sandoval

9 051129 **[General Plan Amendment in connection with the Executive Park -- Candlestick Cove Project]**
Ordinance amending the San Francisco General Plan in connection with approvals for the proposed Executive Park - Candlestick Cove Project; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the General Plan amendment is consistent with the General Plan and the eight Priority Policies of Planning Code Section 101.1.
[Planning Department]

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES
Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

0. **051435** **[Public Hearing - Appeal of Tentative Subdivision Map for 858 Duncan Street]**
Hearing of persons interested in or objecting to from the decision of the Department of Public Works dated August 1, 2005, approving Tentative/Parcel Map to legalize the proposed subdivision of Lot 015 in Assessor's Block 7518 located at 858 Duncan Street, San Francisco. The Duncan parcel is approximately 67.92 feet wide and 1140 feet deep, proposed to be split in half lengthwise into 2 parcels. (Appellant: Greg Turner on behalf of the Safira Court Homeowner's Association Board of Directors.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Subdivision Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

1. **051436** **[Approving decision of the Director of Public Works and approving Tentative Subdivision Map for 858 Duncan Street]**
Motion approving decision of the Director of Public Works, and approving Tentative Subdivision Map to legalize the proposed subdivision of Lot 015 in Assessor's Block 7518, located at 858 Duncan Street.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

12. 051437 **[Disapproving decision of the Director of Public Works and disapproving Tentative Subdivision Map for 858 Duncan Street]**

Motion disapproving decision of the Director of Public Works, and disapproving Tentative Subdivision Map to legalize the proposed subdivision of Lot 015 in Assessor's Block 7518, located at 858 Duncan Street
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

13. 051438 **[Findings - 858 Duncan Street]**

Motion directing the Clerk of the Board to prepare findings relating to Tentative Subdivision Map to legalize the proposed subdivision of Lot 015 in Assessor's Block 7518, located at 858 Duncan Street.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

14. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

15. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 16 through 27

16. 051476 **[Accept-Expend Federal Grant - Port Commission]**

Supervisor Alioto-Pier

Resolution authorizing the San Francisco Port Commission to accept and expend a grant in the amount of $100,000 from the United States Environmental Protection Agency for the San Francisco Bay Cruise Liner Emissions Reductions Incentives Grant (SF Bay CLEARING) Program.

8/16/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

17. 051477 **[50th Anniversary Celebration of CSI]**

Supervisor Ammiano

Resolution recognizing the 50th Anniversary Celebration of the San Francisco Chapter of the Construction Specifications Institute and commending that Chapter and its many volunteers on this 17th day of September, 2005, for contributing to the advancement of construction technology and education in the City and County of San Francisco.

8/16/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

18. 051478 **[Opposing federal legislation that unduly restricts the local role in telecommunications and video policy]**

Supervisors Ammiano, Mirkarimi, Peskin, Maxwell, Daly, Dufty, Alioto-Pier

Resolution urging the United States Congress to reject legislation that would unduly restrict the role of local governments in providing broadband Internet access, managing public rights of way, or awarding franchises to video providers and to approve legislation that would preserve the option for local governments to participate in the provision of communications services.

8/16/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

19. 051479 **[Continuing the Ongoing work of the Utility Undergrounding Task Force]**

Supervisor Dufty

Resolution continuing the ongoing work of the Utility Undergrounding Task Force to advise the City and County of San Francisco on the future of the utility undergrounding process in San Francisco and to complete its work by June 1, 2006.

8/16/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

20. 051480 **[Honoring Trevor Hailey]**

Supervisor Dufty

Resolution honoring Trevor Hailey upon her retirement, for 16 years leading the "Cruisin' the Castro" walking tour, using her gift for storytelling to inspire and educate both tourists and native San Franciscans on the history of the world-famous Castro District.

8/16/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

21. 051481 **[Commending the 85th Anniversary of the 19th Amendment]**

Supervisor Ma

Resolution commending the 85th anniversary of the 19th Amendment to the United States Constitution, extending the right of suffrage to women.

8/16/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

22. 051482 **[Homeland Security Grants]**

Supervisor Ma

Resolution amending Resolution No. 385-04 to authorize designated City and County officials to execute and file on behalf of the City and County of San Francisco applications for federal and state financial assistance under the Emergency Management Performance Grant Program, the renamed State Homeland Security Grant Program, Public Law 107-206 and any other federal funding programs that are passed through the State of California.

8/16/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

23. 051483 **[Accept-Expend Federal Grant - Office of Emergency Services]**

Supervisor Ma

Resolution authorizing the Office of Emergency Services to retroactively accept and expend a Federal Grant in the amount of $280,000 from the United States Department of Homeland Security for the purpose of providing financial assistance to San Francisco's Metropolitan Medical Response System (MMRS).

8/16/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

24. 051484 **[Supporting the Amendment of the Million Solar Roofs Initiative Program]**

Supervisor Mirkarimi

Resolution urging the California Assembly Appropriations Committee, the Assembly and the Senate to amend SB1 in order to allow a Community Choice Aggregator the option to administer its own solar roofs program, and to receive solar incentives that will be funded by their ratepayers under SB1; to guarantee the right of Community Choice Aggregators to use existing lawful financing instruments, such as H bonds and government-owned solar as is required for the City and County's 31 Megawatt Community Choice photovoltaic program pursuant to Ordinance 86-04.

8/16/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

5. 051488 **[Consolidation of Special Statewide Election and special Community College District election with the Consolidated Municipal Election scheduled for November 8, 2005]**

Supervisor Peskin

Resolution consolidating the Special Statewide Election and special Community College District election, to be held in the City and County of San Francisco on November 8, 2005, with the Consolidated Municipal Election to be held in the City and County of San Francisco on the same date, and providing that the election precincts, voting places and officers for the Special Statewide Election and special Community College District election shall be the same as for the Consolidated Municipal Election.

8/16/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

6. 051489 **[Meeting Schedule]**

Supervisor Peskin

Resolution revising the regular meeting schedule of the Board of Supervisors by canceling the October 4, 2005 meeting and scheduling a Board Meeting on October 11, 2005.

8/16/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

7. 051450 **[Needle Exchange Emergency]**

Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

8/16/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

28. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from August 9, 2005 through August 29, 2005, for reference by President to appropriate committee on September 6, 2005.

051439 **[Campaign Finance Reform Amendments of 2005]]**
Ordinance amending the Campaign and Governmental Conduct Code by adding a new Section 1.103, amending Sections 1.100, 1.104, 1.112, 1.114, 1.120, 1.128, 1.130, 1.134, 1.144, 1.152, 1.168, and 1.170, repealing Section 1.118, and repealing Chapter 3 of Article 1, Sections 1.300, 1.305, 1.310, 1.312, 1.315 and 1.320 to: (1) make technical changes including the correction of grammatical or reference errors and the reordering of Sections; (2) conform the Campaign Finance Reform Ordinance to the adoption of Ranked Choice Voting; (3) move the Electronic Filing Ordinance from Chapter 3 of Article 1 of the Campaign and Governmental Conduct Code to the Campaign Finance Reform Ordinance; and (4) expressly set forth a statute of limitations for criminal, civil, administrative and collection actions brought under the Campaign Finance Reform Ordinance.
(Ethics Commission)

8/11/2005, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 10/6/2005.

051442 **[Settlement of Lawsuit - Anna Maria Olmedo]**
Ordinance authorizing settlement of the lawsuit filed by Anna Maria Olmedo against the City and County of San Francisco for $62,500; the lawsuit was filed on August 15, 1999 in San Francisco Superior Court, Case No. 314-031.

8/15/2005, RECEIVED AND ASSIGNED to Rules Committee.

051443 **[Amending the Electrical Code regarding headroom requirements for panelboards, entrances for 1200 amp rated equipment, use of non-metallic sheathed cable in multifamily dwellings, and making clerical changes]**
Ordinance amending Articles 89, 100, 110, 210, 215, 220, 230, 250, 300, 333, 334, 336, 340, 348, 350, 352, 351, 348, 378, 331, 362, 384, 410, 411, 645, 700, 760, and 800 of the Electrical Code to make minor clerical changes for greater clarity, to extend the general requirement for headroom about panelboards to residential panelboards rated not more than 200 amps, to provide that equipment rated 1200 amps or more, regardless of width, requires an entrance to each end of the working space, to allow for non-metallic sheathed cable to be installed in multifamily dwellings with Type III, IV and V construction up to 4 stories in height, and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code.
(Building Inspection Department)

8/16/2005, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 10/6/2005.

PROPOSED RESOLUTIONS

Proposed resolutions received from August 9, 2005 through August 29, 2005, for reference by President to appropriate committee on September 6, 2005.

051440 **[Airport Food and Beverage Lease]**

Resolution approving the Terminal 1 Casual Dining & Bar Lease between WSE Group, Inc., and the City and County of San Francisco, acting by and through its Airport Commission.
(Airport Commission)

8/10/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051485 [Parking Regulations]
Resolution enacting and rescinding parking regulations at various locations.

DIAGONAL (60-DEGREE ANGLE) PARKING - ESTABLISH
Ulloa Street, south side, from 33rd Avenue to 98 feet easterly (nine 60-degree parking spaces).

NO PARKING ANYTIME - RESCIND
TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Harriet Street, east side, from Ahern Way to Harrison Street.

TOW-AWAY, NO STOPPING, 4 PM - 6 PM, MONDAY THROUGH FRIDAY -RESCIND
Masonic Avenue, west side, from Grove to Hayes Streets.

NO PARKING ANYTIME - ESTABLISH
Warren Drive, north side, from Blairwood Lane to 60 feet easterly.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Gilman Avenue, north side, between Griffith and Hawes Streets.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Carolina Street, west side, from 23rd Street to 90 feet southerly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Cambridge Street, south side, from Stoneyford Avenue to 20 feet westerly (replacing the existing visibility red zone).

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
201 Telegraph Hill Boulevard (formally establishes perpendicular parking in front of this building);
275 to 285 Telegraph Hill Boulevard, along east side of Kearny Street right-of-way, from Telegraph Hill Boulevard to 39 feet northerly (5 perpendicular parking spaces); and,
18th Street, north side, between Potrero Avenue and Utah Street.

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Gough Street, east side, between Colton and Otis Streets (Unit block).

YELLOW (COMMERCIAL LOADING) ZONES, 7 AM - 6 PM, EVERYDAY, TOW-AWAY, NO STOPPING ALL OTHER TIMES - ESTABLISH
7th Street, east side, between Market and Stevenson Streets.

1-HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND
GENERAL METERED PARKING AREA 1 (1-HOUR PARKING TIME LIMIT, 7 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Stevenson Street, south side, between 5th and 6th Streets (400 block).

NO PARKING ANYTIME - ESTABLISH
Noriega Street, north side, from the western edge of the #616 Noriega Street driveway to the western edge of the #624 property line.

MUNI BUS ZONE - EXTEND
Bayshore Boulevard at Marengo Street, east side, from 60 feet to 100 feet north of Marengo Street (extend existing bus zone by 40 feet).
(Parking and Traffic Department)
(Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a

negligible increase in the use of the street; DPT Order No. 3044.)

8/15/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051486 **[STOP Intersections]**
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Buena Vista Avenue East at Duboce Avenue, making this intersection an All-Way STOP; and,
Teresita Boulevard and Stillings Avenue, stopping Teresita Boulevard, making this intersection an All-Way STOP.
(Parking and Traffic Department)
(8/11/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3044.)

8/15/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051487 **[Traffic Regulations]**
Resolution enacting and rescinding traffic regulations on various streets.

ONE-WAY STREET - ESTABLISH
Flora Street, northbound, between Bayview and Thornton Streets; and,
Pomona Street, southbound, between Bayview and Thornton Streets.

MID-BLOCK CROSSWALK - ESTABLISH
Alabama Street, between 24th and 25th Streets.
(Parking and Traffic Department)
(8/11/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3044.)

8/15/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051496 **[Recurring FY2005-2006 State grant funds to the Department of Public Health from the California Department of Health Services]**
Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health for FY 2005-2006.
(Public Health Department)

8/19/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051539 **[Confirming the appointment of the Director of Transportation to the Transbay Joint Powers Authority]**
Resolution confirming the appointment of the Director of Transportation to the Transbay Joint Powers Authority as the representative of the Municipal Transportation Agency Board of Directors, effective August 16, 2005.
(Municipal Transportation Agency)

8/29/2005, RECEIVED AND ASSIGNED to Rules Committee.

051536 [Petitions and Communications (A)]

Petitions and Communications received from August 9, 2005 through August 29, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on September 6, 2005.
Part A

From Ken McDonald, submitting request for a type 42 on sale beer and wine public premises license for "Friendly Spirits" located at 572 Castro Street. (1)

From concerned citizens, urging the Board to grant appeal for property at 800 Brotherhood Way, and direct the Planning Department to prepare an EIR for this project. Files 051226, 051234, Copy: Each Supervisor (2)

From Ethics Commission, submitting regulations adopted by the Ethics Commission regarding the Campaign Finance Reform Ordinance. (3)

From Department of Public Works, regarding cleaning the sidewalks from Fulton Street and Golden Gate Avenue to Laguna and Webster Streets. (Reference No. 20050719-003) Copy: Supervisor Mirkarimi (4)

From Department of Public Works, responding to request to repave Linden Street. (Reference No. 20050719-003) Copy: Supervisor Mirkarimi (5)

From Office of the Controller, responding to the 2004-05 Civil Grand Jury report entitled New Chief of the Juvenile Probation Department: An Opportunity for Reform. File 050870 (6)

From Clerk of the Board, submitting notice that funding provided in the budget for fiscal year 2005-06 is adequate for the department to meet service levels as proposed to the Board. Copy: Each Supervisor (7)

From John Peake, submitting opposition to any development of the open space hillside and stairway at Henry Street and Roosevelt Way. (8)

From Office of the Treasurer, submitting investment activity (for fiscal year to date) of the portfolios under management. (9)

From Lucian Robert Blazej, submitting opposition to appeal of Planning Commission approval for the Categorical Exemption for property located at 3350 20th Street. File 051402, Copy: Each Supervisor (10)

From Enhua Yu, submitting clarification to some people's concern about human body specimens "The Universe Within" at Masonic Center in San Francisco. File 051034, Copy: Each Supervisor (11)

From Patrick Monette-Shaw, regarding the City Controller's options for the Laguna Honda Hospital Replacement Project. File 050939, Copy: Each Supervisor (12)

From concerned citizens, submitting opposition to the increase in parking fines in San Francisco. (13)

From Joe Piscitelli, submitting copy of letter sent to Bishop Webster and Bishop Levada concerning the number of accused and convicted sex abuser clergy that are presently at the Provincial House at 1100 Franklin Street and at St. Peter and Paul's Church at 666 Filbert Street. (14)

From concerned citizens, urging the Board to enact a Community Choice Energy plan that will bring San Francisco 360 megawatts of renewable energy generation in the next three years. File 050916, Copy: Each Supervisor (15)

From concerned citizens, submitting opposition to the proposed Comcast Cable settlement. File 051006, Copy: Each Supervisor (16)

From concerned citizens, concerning homeownership in San Francisco. (17)

From concerned citizens, regarding the unrest between labor and management in the City's hotels. (18)

From Sue Vaughan, commenting on the proposed Rincon Hill Area Plan. (19)

From Erica Byrne, regarding the cost of parking permits in the Tenderloin. Copy: Supervisor Daly (20)

From The Archdiocese of San Francisco, submitting news release announcing the Archdiocese of San Francisco has signed a letter of intent to sell the Saint Brigid Church to the Academy of Art University. (21)

From Animal Care and Control Department, submitting request for waiver of Chapters 12B and 12C of the Administrative Code for Safeway Corporation. (22)

From Lorri Ungaretti, thanking the Board for their work in trying to save St. Brigid Church. Copy: Each Supervisor (23)

From Department of Public Works, reporting that the fencing surrounding the Hayes Green was removed on July 1, 2005. (Reference No. 20050621-003) Copy: Supervisor Mirkarimi (24)

From Employees' Retirement System, submitting notice announcing the Retirement Board's Election, and that the period for nomination is from Friday, August 12, 2005 through Monday, September 12, 2005. (25)

From James Chaffee, submitting letter entitled City Librarian: "Next Steps in terms of implementing Radio Frequency Identification" in library books. Copy: Each Supervisor (26)

From Jeffrey Kwong, submitting his resignation as member of District 3, Library Citizens Advisory Committee, effective August 17, 2005. (27)

From Department of Public Works, reporting that the paving of Linden Street was completed in the last week of July 2005. (Reference No. 20050719-002) Copy: Supervisor Mirkarimi (28)

From Sue Hestor, filing notice of appeal for 491 Bayshore Boulevard (Home Depot) from action of the Planning Commission. File 051445 (29)

From Joyce Lavey, urging the Board of Supervisors to proclaim November 2005 as Lung Cancer Awareness Month. Copy: Each Supervisor (30)

From Domonic Spaccarotelli, urging the Board of Supervisors to increase funding for the Neighborhood Emergency Response Training program. (31)

From Phil Priolo, submitting request to transfer a type 21 and type 42 liquor license for the Jug Shop, Inc. from 1567 Pacific Avenue to 1590 Pacific Avenue. (32)

From Daniel Davila, thanking the Board of Supervisors for the in memoriam honoring Richard Aagaard at the August 9, 2005 Board meeting. Copy: Supervisor Daly (33)

From Department of Elections, regarding disclaimer requirements for local ballot measures: endorse, oppose or take no position on a measure (Municipal Election Code (MEC) Section 500©(8)). (34)

From Erica Byrne, submitting her suggestions on improving emergency medical responses and ameliorating the problem of alleged drunken firefighters. Copy: Each Supervisor (35)

From California Senate Rules Committee, submitting appointment of Richard B. Rogers of Carpinteria as a member of the Fish and Game Commission for term ending January 15, 2011. (36)

From the Outer Mission Residents Association, submitting support for more surveillance cameras throughout San Francisco, including the Outer Mission and Ingleside Police District. File 050826 (37)

From Arts Commission, submitting notice that funding provided in the budget for fiscal year 2005-06 is adequate for the department to meet service levels as proposed to the Board. Copy: Each Supervisor (38)

From James Miller, commenting on the Mayor's plan to "green" the streets of San Francisco. Copy: Each Supervisor (39)

From Office of the Controller, submitting an audit of the revolving fund maintained by the War Memorial and Performing Arts Center. (40)

From Sue Hestor, filing notice of appeal for 3350 20th Street from action of Planning Commission. File 051402 (41)

From Denise D'Anne, submitting copy of letter sent to the Director of the Department of Elections concerning the fact that the texts of ballot measures are not immediately put on the Internet. (42)

From Department of Parking and Traffic, submitting request for waiver of Administrative Code Chapters 12B and 12C for 3M Opticom. (43)

From Peter Glikshtern, submitting request for the expansion of a bar with a Type 48 on-sale general public premises license currently issued at 2925 16th Street to include the location at 2923 16th Street (District 6), for Aljoy, Inc. (44)

From concerned citizens, urging the Board of Supervisors to do what it can to help Susan Cervantes from being evicted from her rented family home of 35 years, located at 398 Precita Avenue, by the new owners of that property. (45)

From Matti Kivio, concerning the Mayor's search for economical ways of building citywide Wi-Fi in San Francisco. Copy: Mayor (46)

From Public Defender, submitting request for waiver of Administrative Code Chapters 12B and 12C for unleaded gasoline from Chevron USA, Inc. (47)

From Department of Child Support Services, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (48)

From Adult Probation Department, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (49)

From Chief Medical Examiner, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (50)

051537 **[Petitions and Communictions (B)]**

Petitions and Communications received from August 9, 2005 through August 29, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on September 6, 2005. Part B

From Health Service System, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (51)

From Department of Human Resources, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (52)

From Human Services Agency, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (53)

From Juvenile Probation Department, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (54)

From the Port, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (55)

From Department of Public Works, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (56)

From Residential Rent Stabilization and Arbitration Board, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (57)

From Office of the Sheriff, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board; with exceptions as stated in this letter. (58)

From Department on the Status of Women, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (59)

From Department of Telecommunications and Information Services, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (60)

From Office of the Treasurer and Tax Collector, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (61)

From War Memorial and Performing Arts Center, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (62)

From Department of Public Works, reporting that the pothole located at 1285 – 2nd Avenue has been filled. (Reference No. 20050809-002) Copy: Supervisor Mirkarimi (63)

From Department of Public Works, reporting that the pothole located at the intersection of Hugo Street and 2nd Avenue has been filled. (Reference No. 20050809-003) Copy: Supervisor Mirkarimi (64)

From Department of Public Works, reporting that the pothole located at 126 Hugo Street has been filled. (Reference No. 20050809-004) Copy: Supervisor Mirkarimi (65)

From Bechtel Telecommunications, submitting notification letter of Cingular Wireless's intent to construct a cellular facility at 1099 Powell Street. (66)

From Bechtel Telecommunications, submitting notification letter of Cingular Wireless's intent to construct a cellular facility at 250 Clay Street. (67)

From Jason Walthall, submitting request to transfer a Type 20 Beer and Wine license from 3699 17th Street to 2339 Third Street for Taste, Inc. (68)

From F. Loy Fong, submitting support for the decision of the Department of Public Works approving tentative/parcel map to legalize the proposed subdivision at 858 Duncan Street. File 051435 (69)

From Office of Citizens Complaints, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (70)

From Office of Economic and Workforce Development, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (71)

From Ethics Commission, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (72)

From Municipal Transportation Agency, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (73)

From Planning Department, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (74)

From Office of the Controller, submitting response to the 2004-05 Civil Grand Jury Report entitled: "Employee or Independent Contractor?" (75)

From S.F. Democratic County Central Committee, submitting resolution urging the Board of Supervisors not to approve the Mills project at Piers 27-31 or any Waterfront development projects that do not comply with voter mandate of Proposition H. (76)

From Office of the Controller, submitting additional budget information on City tree planting and maintenance services. (77)

From Office of the Controller, regarding the performance evaluation of the J-Church streetcar line. (Reference No. 20050628-002) Copy: Supervisor Dufty (78)

From concerned citizens, submitting opposition to the Board of Supervisors refusal to dock the U.S.S. Iowa in San Francisco. File 051113, Copy: Each Supervisor (79)

From concerned citizens, concerning Supervisor Daly alleging accusing Pat Murphy, the founder of the San Francisco Sentinel, of running an online political action committee. (80)

From Michelle Sparrow, concerning home ownership in San Francisco. (81)

From concerned citizens, submitting support for the Pacific Heights Ski Jump competition to take place on August 27, 2005 (82)

From Warren Hirsch, submitting opposition to holding the ski jump in the Pacific Heights neighborhood of San Francisco. (83)

From Dan Tuttle, commenting on the alleged corruption in the Planning and Building Departments of San Francisco. Copy: Each Supervisor (84)

From Julian Lagos, urging the Board of Supervisors to grant the appeal for 800 Brotherhood Way and direct the Planning Department to prepare an Environmental Impact Report for the proposed project at 800 Brotherhood Way. Files 051226, 051227, 051228, 051229 (85)

From James Chionsini, submitting official reports that have been approved by the Shelter Monitoring Committee. (86)

From Ronald Schoenberg, concerning the non-performance of penalties for removing guns from the streets of the Bayview neighborhood in San Francisco. Copy: Each Supervisor (87)

From State Department of Fair Employment and Housing, submitting their new address: 1515 Clay Street, Suite 701, Oakland, CA 95612. (88)

From Seth Peterson, concerning his frustration with the Citation Review Center at the Department of Parking and Traffic. (89)

From concerned citizens, submitting opposition to proposal to initiate a fee for driving downtown in San Francisco. (90)

Number not used. (91)

From San Francisco County Transportation Authority, submitting a copy of the San Francisco Countywide Transportation Plan, as adopted by the Authority Board. (92)

From Public Utilities Commission, submitting notice of scoping meetings for the Environmental Impact Report for the Public Utilities Commission's proposed Water System Improvement Program. (93)

From the Airport, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (94)

From Office of the District Attorney, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (95)

From Fine Arts Museums of San Francisco, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (96)

From Public Library, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (97)

From Recreation and Park Department, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (98)

From Treasure Island Development Authority, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (99)

From PUC Purchasing, submitting request for waiver of Administrative Code Chapters 12B and 12C for ABB, Inc. to purchase Medium Voltage Switch Gear. (100)

051538 [Petitions and Communications (C)]

Petitions and Communications received from August 9, 2005 through August 29, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on September 6, 2005. Part C.

From Planning Department, concerning the two alleged illegal billboards recently erected at the AA Market at 667 Broderick Street. (Reference No. 20050719-001) Copy: Supervisor Mirkarimi (101)

From Gregory Murphy, commenting on the City Controller's 2005 City Survey giving San Francisco a C+ for city services. (102)

From Fire Department, submitting request for waiver of Administrative Code Chapters 12B and 12C to purchase TVI Corporation decontamination systems from Fisher Scientific. (103)

From PG&E, submitting a recent pleading PG&E filed at the Public Utilities Commission which relates to the municipal surcharge revenues PG&E remits to cities and counties. (104)

From Municipal Transportation Agency, submitting list of sole source contracts entered into in fiscal year 2004-05. (105)

From Fire Department, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (106)

From SF Convention Facilities, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (107)

From Office of the Public Defender, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (108)

From Police Department, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (109)

From Animal Care and Control Department, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (110)

From Sunshine Ordinance Task Force, submitting copy of letter sent to the foreperson of the San Francisco Civil Grand Jury regarding media attention on certain nonprofit agencies that, while under service contract with the City, have misappropriated or misused public funding. (111)

From Department of Elections, submitting copy of press release sent to vendors regarding the usability of voting systems in San Francisco. (112)

From Ethics Commission, submitting copy of letter sent to Supervisor Daly regarding the San Francisco Sentinel and its status as a political entity. (Reference No. 20050818-011) Copy: Supervisor Daly (113)

From Nextel Communications, submitting copy of notification letter sent to the California Public Utilities Commission regarding construction of a wireless facility at 390 Main Street. (114)

From Bechtel Telecommunications, submitting notification letter of Cingular Wireless's intent to construct a cellular facility at 950-964 Market Street. (115)

From Fire Department, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (116)

From State Public Utilities Commission, submitting copy of application from Harbor Bay Maritime, Inc., for rate relief and a general passenger fare increase on its vessel common carrier service. (117)

From Bruce Marx, submitting support for bringing Home Depot to San Francisco. File 051446 (118)

From Stacey Haysler, submitting opposition to bringing Home Depot to San Francisco. File 051447 (119)

From State Department of Child Support Services, announcing the implementation of the new Intercept Database system. (120)

From Office of the Clerk of the Board of Supervisors, submitting Form 700, Statement of Economic Interests for Maria Adele Destro, Assistant Clerk of the Board. (121)

From Department of Parking and Traffic, regarding the crosswalk visibility at the intersection of Alemany Boulevard and Sagamore Street. (Reference No. 20050712-006) Copy: Supervisor Sandoval (122)

From Human Rights Commission, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (125)

From David Gramarossa, regarding the extremely loud, inescapable sirens and thunderous horns coming from fire department trucks in the Tenderloin district of San Francisco. Copy: Supervisor Daly (126)

From Commissioner Paul Kangas, regarding the status of drug treatment programs in San Francisco. Copy: Each Supervisor (127)

From Asian Pacific Islander Cultural Center, thanking the Board of Supervisors for their support for the United States of Asian American Festival of 2005. Copy: Each Supervisor (128)

From State Department of Child Support Services, regarding safeguarding federal tax information. (129)

From Elizabeth Steele, commenting on the way some homeless people in San Francisco are treated. Copy: Supervisor Peskin (130)

From Mirna Escobar, urging the Board of Supervisors to find Gladys Cabera a place to live before she gets evicted from her current room a storefront of an Evangelical Church located on Capp Street. (131)

ADJOURNMENT

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

City and County of San Francisco
NOTICE OF PUBLIC HEARING
Board of Supervisors

General Notice — Transmitted 08-19-05

A public hearing will be held 09/13/05 at 4:00 PM or as soon as possible after this time, at Legislative Chamber, Rm 250, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

The Board of Supervisors will hold a public hearing relative to the listed subjects. All interested parties are cordially invited to attend. Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.

Mail comments for the Listed Files to: Board of Supervisors, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

051402 Public Hearing - Appeal of Categorical Exemption for 3350 20th Street (Quonset Hut structure)

Hearing of persons interested in or objecting to the decision of the Planning Department dated October 7, 2004, exempting from environmental review under Categorical Exemption, State CEQA Guidelines Section 15301 (l) (3), the demolition of a small commercial structure. The proposed project involves the demolition of the Quonset Hut structure located at at 3350 20th, Assessor's Block 3594, Lot 15. (Appellant: Sue C. Hestor, Attorney, representing Mission Anti-Displacement Coalition).

Gloria L. Young, Clerk of the Board

NOTE:
Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

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BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

NOTICE OF PUBLIC HEARING
SAN FRANCISCO BOARD OF SUPERVISORS
CITY HALL, LEGISLATIVE CHAMBERS
TUESDAY, SEPTEMBER 13, 2005 – 3:00 P.M.

NOTICE IS HEREBY GIVEN, pursuant to the provisions of Section 8320 of the Streets and Highway Code, that the Board of Supervisors will hold a public hearing on **Tuesday, September 13, 2005, at 3:00 p.m.**, in Legislative Chambers at City Hall, at 1 Dr. Carlton B. Goodlett Place, San Francisco, California to consider the following:

File 050852. Ordinance ordering the vacation of a portion of Bernal Heights Boulevard west of Moultrie Street; transferring jurisdiction from the Department of Public Works to the Recreation and Park Department; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance.

Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.

Gloria L. Young, Clerk of the Board

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BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

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City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, September 13, 2005 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Ammiano, Mirkarimi, Elsbernd	Thursday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Peskin, Elsbernd, Daly	2nd and 4th Monday 1:00 PM
Land Use Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Alioto-Pier, Mirkarimi, Peskin	Wednesday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Meeting Minutes for August 9, 2005 and August 16, 2005.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:

1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence

These items will be available for review at City Hall, Room 244, Reception Desk.

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

1. **051504** **[Adopting findings related to the tentative subdivision map appeal on property located at 858 Duncan]**

Motion adopting findings related to the appeal of the decision of the Department of Public Works approving tentative map to authorize the construction of an eighteen unit new condominium mixed-use project at 858 Duncan (Lot 015 in Assessor's Block 7518).

9/6/2005, REFERRED to Board of Supervisors.

Question: Shall this Motion be APPROVED?

Recommendation of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

2. **051257** **[Sweatfree Ordinance]**

Mayor, Supervisors Ammiano, Alioto-Pier, Daly, Mirkarimi, Maxwell, McGoldrick, Dufty, Ma, Sandoval

Ordinance amending the San Francisco Administrative Code by adding Chapter 12U, finding that the City would benefit by spending its funds in a manner that would support safe and humane working conditions; requiring contractors and subcontractors providing goods to the City and County to comply with laws and standards affecting labor and employment conditions for employees performing work under the contract and subcontracts, including: not engaging in abusive forms of child labor, foreign convict or forced labor, or slave labor; and compliance with all human and labor rights and labor standards imposed by law or treaty law on the country where the goods are being made or assembled; paying wages that are not less than a minimum wage established by the Director of the Office of Contract Administration; compliance with all applicable laws governing wages, employee benefits, health and safety, labor, environmental conditions, nondiscrimination, freedom of association; creating the Sweatfree Procurement Advisory Group to make recommendations on the implementation, administration or enforcement of this Chapter to the Director of the Office of Contract Administration and the Office of Labor Standards Enforcement; targeting the procurement of garments for enforcement of this Chapter during the first full fiscal year following the effective date of the Chapter, and, thereafter, targeting other goods for enforcement based on recommendations of the Sweatfree Procurement Advisory Group submitted by the Director of the Office of Contract Administration to the Board of Supervisors and approved by ordinance.

(Fiscal impact.)

8/16/2005, PASSED ON FIRST READING. Supervisor Sandoval requested to be added as a co-sponsor.

9/6/2005, AMENDED.

9/6/2005, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

3. 051005 **[Cable Television Franchise Amendments]**

Mayor

Ordinance amending Ordinance No. 105-64, as amended by Ordinance Nos. 528-88, 315-89, 42-91, 42-97, and 266-99, by amending sections 1, 9, 24.3, 25, 25.5, 27.2, 31, and 32 and Appendix C to extend the term of the franchise and to clarify and expand the obligations of the Comcast of California III, Inc.

8/9/2005, CONTINUED. Continued to August 16, 2005

8/16/2005, CONTINUED. Continued to September 13, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

4. 051006 **[Settlement of Claims - Comcast of California III, Inc.]**

Mayor

Ordinance approving the settlement of certain non-litigated claims on behalf of the City and County of San Francisco against Comcast of California III, Inc.

8/9/2005, CONTINUED. Continued to August 16, 2005

8/16/2005, CONTINUED. Continued to September 13, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

CLOSED SESSION

5. 051408 **[Closed Session - Potential Litigation, Comcast of California III]**

Supervisor McGoldrick

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding potential litigation and a settlement involving the City related to the renewal of the cable franchise for Comcast of California III. The settlement resolves the City's unlitigated claims against Comcast California III for $3.5 million, extends the franchise for 4 years, and modifies the terms of the franchise in several ways, including increasing funding for public access, educational and government programming. Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d) permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the potential litigation.

8/16/2005, CONTINUED. September 13, 2005

Question: Shall this Motion be APPROVED?

After a closed session, if one occurs, the President shall (1) request the Deputy City Attorney to identify the subjects discussed in the closed session, and (2) direct the Clerk of the Board to report the vote taken on any motion in the closed session.

[Elect To Disclose]
Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

NEW BUSINESS

Recommendation of the Land Use Committee

Present: Supervisors Maxwell, McGoldrick

6. 051380 **[Interdepartmental jurisdictional transfer of property]**
Supervisors Dufty, Sandoval
Ordinance transferring jurisdiction of certain unimproved real property located on Roosevelt Way and Henry Street (Block 2612, Lot 50) from the Mayor's Office of Housing to the Recreation and Park Department.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:00 P.M.

7. 050853 **[Hearing - Street Vacation portion of Bernal Heights Boulevard]**
Hearing of persons interested in or objecting to proposed Ordinance ordering the vacation of a portion of Bernal Heights Boulevard west of Moultrie Street; transferring jurisdiction from the Department of Public Works to the Recreation and Park Department; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance.
(Clerk of the Board)

Action:_____

From the Land Use Committee Without Recommendation

Present: Supervisors Maxwell, Sandoval

8. 050852 **[Ordering the vacation of a portion of Bernal Heights Boulevard]**
Ordinance ordering the vacation of a portion of Bernal Heights Boulevard west of Moultrie Street; transferring jurisdiction from the Department of Public Works to the Recreation and Park Department; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance.
(Real Estate Department)
(To be heard at a public hearing on September 13, 2005 at 3:00 p.m.)

8/9/2005, CONTINUED. Continued to September 13, 2005 at 3:00 p.m.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES
Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

9. 051402 [Public Hearing - Appeal of Categorical Exemption for 3350 20th Street (Quonset Hut structure)]

Hearing of persons interested in or objecting to the decision of the Planning Department dated October 7, 2004, exempting from environmental review under Categorical Exemption, State CEQA Guidelines Section 15301 (l) (3), the demolition of a small commercial structure. The proposed project involves the demolition of the Quonset Hut structure located at at 3350 20th Street, Assessor's Block 3594, Lot 15. (Appellant: Sue C. Hestor, Attorney, representing Mission Anti-Displacement Coalition).

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

10. 051403 [Affirming the categorical exemption issued for 3350 20th Street]

Motion affirming the determination by the Planning Department that the 3350 20th Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Question: Shall this Motion be APPROVED?

11. 051404 **[Disapproving the categorical exemption issued for 3350 20th Street]**
Motion disapproving the determination by the Planning Department that the 3350 20th Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

12. 051405 **[Preparation of findings related to the categorical exemption issued for 3350 20th Street]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 3350 20th Street Project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

From the Budget and Finance Committee

The following items will be considered by the Budget and Finance Committee at a Regular Meeting on Thursday, September 8, 2005 at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, September 13, 2005.

13. 051475 [Approval of Amendment to Design Agreement for the Laguna Honda Hospital Replacement Program]

Supervisor Elsbernd

Resolution authorizing the Director of Public Works to execute amendment to the Design Agreement for the Laguna Honda Hospital Replacement Program modifying the total contract amount from $32,595,782 to $33,706,892.

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

14. 051500 [Public Education Enrichment Fund]

Supervisor Ammiano

Resolution approving the San Francisco Unified School District revised expenditure plans for the Public Education Enrichment Fund.

Question: Shall this Resolution be ADOPTED?

From the Government Audit and Oversight Committee

The following items will be considered by the Government Audit and Oversight Committee at a Regular Meeting on Monday, September 12, 2005 at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, September 13, 2005.

15. 051511 [To appropriate general fund reserve to the Board of Supervisors for the Budget Analyst to perform a management audit of the Office of Emergency Services]

Supervisor Peskin

Ordinance appropriating $200,000 from the General Fund Reserve to the Board of Supervisors to pay the Budget Analyst to perform a management audit of the Office of Emergency Services for Fiscal Year 2005-2006.

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 051483 **[Accept-Expend Federal Grant - Office of Emergency Services]**
Supervisor Ma
Resolution authorizing the Office of Emergency Services to retroactively accept and expend a Federal Grant in the amount of $280,000 from the United States Department of Homeland Security for the purpose of providing financial assistance to San Francisco's Metropolitan Medical Response System (MMRS)

9/6/2005, REFERRED to Government Audit and Oversight Committee.

Question: Shall this Resolution be ADOPTED?

17. 051513 **[Directing the Budget Analyst to conduct a management audit of the Emergency Communications Department - Emergency Services Coordination Program on a Priority Basis]**
Supervisor Peskin
Motion amending the Schedule of Audits for the Budget Analyst and Directing the Budget Analyst to conduct a management audit of the Emergency Communications Department – Emergency Services Coordination Program and to perform this management audit as the next priority assignment.

Question: Shall this Motion be APPROVED?

18. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

19. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 20 through 25

20. 051523 [Traffic Calming Measures on McAllister and Grove Streets]

Supervisor Mirkarimi

Resolution urging the Department of Parking and Traffic to take measures to prevent unlawful and dangerous driving on McAllister Street between Webster Street and Laguna Street and on Grove Street between Webster Street and Laguna Street.

9/6/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

21. 051524 [Speed Humps on Linden and Rose Streets]

Supervisor Mirkarimi

Resolution urging the Department of Parking and Traffic to install speed humps to prevent unlawful and dangerous driving on Linden Street between Webster Street and Buchanan Street and on Rose Street between Webster Street and Buchanan Street.

9/6/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

22. 051525 [Support and Expenditures for Hurricane Katrina Relief Efforts]

Resolution establishing City support for Hurricane Katrina relief efforts and preliminarily approving expenditures required to provide City support.

9/6/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

23. 051526 [Grant from Friends of City Planning for the Leland Avenue Revitalization Project]

Supervisor Maxwell

Resolution authorizing the Director of the Planning Department to accept and expend a grant in the amount of $75,000 from the Friends of City Planning to undertake streetscape design for the Leland Avenue Revitalization Project.

9/6/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

24. 051527 [To provide three food related programs in San Francisco]

Supervisor Maxwell

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend three grants in the total amount of $4,606.18 from the California Department of Food and Agriculture (CDFA) for organic foods ($1,000), egg quality control ($2,256.18), and weighmasters ($1,350) programs, and to enter into agreements for the use of these funds; for the period of July 1, 2005 through June 30, 2006.

9/6/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

25. 051528 **[Approving Child Care Subsidy Plan]**
Supervisor Peskin
Resolution approving county individualized child care subsidy plan authorized by Senate Bill 701 (Migden), for submission to California Department of Education, Child Development Division.

9/6/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

26. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from August 30, 2005 through September 2, 2005, for reference by President to appropriate committee on September 13, 2005.

051540 **[Settlement of Lawsuit - Torfirio Carpenter]**
Ordinance authorizing settlement of the lawsuit filed by Torfirio Carpenter against the City and County of San Francisco for $40,000; the lawsuit was filed on April 21, 2004 in San Francisco Superior Court, Case No. 430-718; entitled Torfirio Carpenter, et al., v. City and County of San Francisco, et al.
(City Attorney)

8/30/2005, RECEIVED AND ASSIGNED to Rules Committee.

051541 **[Settlement of Lawsuit - Raymond Nario]**
Ordinance authorizing settlement of the lawsuit filed by Raymond Nario against the City and County of San Francisco for $60,000.00; the lawsuit was filed on October 20, 2003 in United States District Court, Case No. C05-1394 JSW; entitled Raymond Nario, et al., v. City and County of San Francisco, et al.
(City Attorney)

8/30/2005, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from August 30, 2005 through September 2, 2005, for reference by President to appropriate committee on September 13, 2005.

051546 **[Parking Regulations]**
Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY NO STOPPING ANYTIME – ESTABLISH
Beacon Street, both sides, from the south end of the driveway of 383 Beacon Street to 120 feet southerly.
(8/30/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the stree; DPT Order No. 3056.)

8/31/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051547 **[STOP Intersections]**
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Clement Street and 15th Avenue, stopping Clement Street at 15th Avenue, making this intersection an all-way STOP.
Flood Avenue at Congo Street, installing STOP signs on Flood Avenue at Congo Street, making this intersection an All-Way STOP.
Fairfield Way at Kenwood Way, installing a STOP sign on Fairfield Way at Kenwood Way.
(Parking and Traffic Department)
(8/30/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the stree; DPT Order No. 3056.)

8/31/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051552 [Petitions and Communications]

Petitions and Communications received from August 30, 2005 through September 2, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on September 13, 2005.

From Law Office of Stephen Williams, filing notice of appeal from action by the Planning Commission granting a Categorical Exemption from Environmental Review for 2642-2644 Hyde Street. (1)

From concerned citizens, submitting request for an extension of the review period for proposed legislation regarding the Better Neighborhoods Planning and Implementation Process. File 050601 (2)

From Department of Administrative Services, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (3)

From Police Department, submitting request for waiver of Administrative Code Chapters 12B and 12C for Holiday Inn Golden Gateway Hotel at 1500 Van Ness Avenue, San Francisco. (4)

From Office of the Treasurer/Tax Collector, submitting the Cash difference and Overage Fund balance and activities reported to the office for the period ending June 30, 2005. (5)

From Department of the Environment, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (6)

From concerned citizens, submitting opposition to opening a Home Depot store in San Francisco. (7)

From concerned citizens, submitting opposition to the Board of Supervisors refusal to dock the U.S.S. Iowa in San Francisco. File 051113, Copy: Each Supervisor (8)

From Patrick & Sizemore, requesting they be informed prior to construction of proposed project at 858 Duncan Street (a tentative subdivision map) on how the following issues will be addressed: neighborhood safety, noise levels, dust and debris, street parking and hours of operation. File 051435 (9)

From Department of Public Works, reporting that the pothole located at the intersection of 8th Avenue and Judah Street has been repaired. (Reference No. 20050816-007) Copy: Supervisor Mirkarimi (10)

From concerned citizens, urging the Board of Supervisors to do what it can to help Susan Cervantes from being evicted from her rented family home of 35 years, located at 398 Precita Avenue, by the new owners of that property. (11)

From David Farrell, regarding the Green Cross marijuana dispensary located at 22nd and Fair Oaks Streets. Copy: Supervisors Dufty, Ammiano (12)

From Asian Art Museum, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board; however, funding provided does not fully fund all budgeted security positions required for operations. (13)

From Denise D'Anne, commenting on ways the City and County could save money. (14)

From Leslie Will, concerning homeownership in San Francisco. (15)

From concerned citizens, concerning Supervisor Daly alleging accusing Pat Murphy, the founder of the San Francisco Sentinel, of running an online political action committee. (16)

From concerned citizens, urging the City and County to do something to help the victims of Katrina. (17)

ADJOURNMENT

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.
SEP 16 2005
SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, September 20, 2005 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Ammiano, Mirkarimi, Elsbernd	Thursday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Peskin, Elsbernd, Daly	2nd and 4th Monday 1:00 PM
Land Use Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Alioto-Pier, Mirkarimi, Peskin	Wednesday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

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1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 and 2

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

1. 051361 **[Professional services agreement to provide to perform professional engineering services]**
Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute and amend a professional services agreement with URS Corporation for an amount not to exceed $12,000,000 to provide professional engineering services for the Calaveras Dam Replacement Project.
(Public Utilities Commission)
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

2. 051466 **[Grant of Federal Funds - Municipal Transportation Agency]**
Supervisor Ammiano
Resolution authorizing the Municipal Transportation Agency to accept and expend $497,050 of TEA 21 Section 3015 (Research, Development, Demonstration, and Training Projects) capital assistance for an Alternative Fuel Technology Project, excluding administrative overhead costs.

Question: Shall this Resolution be ADOPTED?

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:*_____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Elsbernd, Daly

3. 051511 **[To appropriate general fund reserve to the Board of Supervisors for the Budget Analyst to perform a management audit of the Office of Emergency Services]**
Supervisors Peskin, Mirkarimi
Ordinance appropriating $179,358 from the General Fund Reserve to the Board of Supervisors to pay the Budget Analyst to perform a management audit of the Office of Emergency Services for Fiscal Year 2005-2006.
(Fiscal impact.)

9/13/2005. PASSED ON FIRST READING. Supervisor Mirkarimi requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use Committee

Present: Supervisors Maxwell, McGoldrick

4. 051380 **[Interdepartmental jurisdictional transfer of property]**
Supervisors Dufty, Sandoval
Ordinance transferring jurisdiction of certain unimproved real property located on Roosevelt Way and Henry Street (Block 2612, Lot 50) from the Mayor's Office of Housing to the Recreation and Park Department.

9/13/2005. PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

From the Land Use Committee Without Recommendation

Present: Supervisors Maxwell, Sandoval

5. **050852** **[Ordering the vacation of a portion of Bernal Heights Boulevard]**

Ordinance ordering the vacation of a portion of Bernal Heights Boulevard west of Moultrie Street; transferring jurisdiction from the Department of Public Works to the Recreation and Park Department; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance.

(Real Estate Department)

(To be heard at a public hearing on September 13, 2005 at 3:00 p.m.)

8/9/2005, CONTINUED. Continued to September 13, 2005 at 3:00 p.m.

9/13/2005, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

6. 051378 **[Sale of City Property located at 425 Mason Street, San Francisco]**
Ordinance ordering the sale at public auction of City-owned property located at 425 Mason Street; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the sale is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing other actions in furtherance of this ordinance.
(Real Estate Department)
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

7. 051390 **[Setting San Francisco's fiscal year 2005-2006 property tax rate and establishing pass-through rate for residential tenants]**
Supervisor Peskin
Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2006.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

8. 051391 **[Setting San Francisco Community College District's fiscal year 2005-2006 property tax rate to be included in the City's overall property tax rate]**
Supervisor Peskin
Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2006.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

9. 051392 **[Setting San Francisco Unified School District's fiscal year 2005-2006 property tax rate to be included in the City's overall property tax rate]**
Supervisor Peskin
Ordinance providing revenue and levying property taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 2006.
(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

10. 051393 [Setting San Francisco Bay Area Rapid Transit District's fiscal year 2005-2006 property tax rate to be included in the City's overall property tax rate]

Supervisor Peskin

Ordinance providing revenue and levying property taxes for San Francisco Bay Area Rapid Transit District purposes for the fiscal year ending June 30, 2006.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. 051352 [Outreach Advertising]

Resolution designating El Reportero and El Latino to be the outreach newspaper of the City and County of San Francisco for the Hispanic community; China Press, World Journal, Sing Tao and Asian Week to be the outreach newspaper of the City and County for the Chinese community; San Francisco Bay View to be the outreach newspaper for the African American community and, the Bay Area Reporter to be the outreach newspaper for the Lesbian Gay Bisexual and Transgender community, to provide outreach advertising services for the fiscal year commencing upon Board of Supervisors and Mayoral approval and ending June 30, 2006.

(Office of Contract Administration)

Question: Shall this Resolution be ADOPTED?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

12. 051406 [Lease of Real Property at One South Van Ness Avenue]

Resolution authorizing the exercise of an option to lease 34,683 square feet of space at One South Van Ness Avenue for the Municipal Transportation Agency of the City and County of San Francisco.

(Real Estate Department)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Elsbernd, Daly

13. 051454 [Authorizing a Change in Use of Grant Funds]

Supervisor Daly

Ordinance authorizing a change in the use of San Francisco Convention and Facilities Department grant funds to permit the funds to be used for an affordable housing development without a proposed pavilion.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

14. 050456 **[Planning Code - Section 311 Notification]**
Supervisor McGoldrick
Ordinance amending the San Francisco Planning Code by amending Section 311 to clarify that the project notification requirements apply to building permits for demolition and change in the number of dwelling units as well as to building permits for new construction and alteration and to require that the notification package sent to neighboring property owners include specified information; adopting environmental findings and findings pursuant to Planning Code Section 302.

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 050829 **[Requiring baby diaper-changing accommodations in new Public-Serving and Substantially Renovated Public-Serving Establishments]**
Supervisor Sandoval
Ordinance amending the Planning Code by adding Section 166 to require that new public-serving establishments and substantially renovated public-serving establishments install baby diaper-changing accommodations; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 051218 **[Public Works Landmark Trees]**
Resolution approving designation of four (4) tree locations for Landmark Status because of their historical significance, aesthetic qualities, or contribution to the City's overall character.
(Public Works Department)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES
Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

17. 041275 **[Public Hearing - Appeal of Revised Certificate of Determination of Exemption from Environmental Review - American Buddhist Cultural Society Building located at 1730-1750 Van Ness Avenue]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated August 13, 2004, Case No. 2003.0657E, approving the proposed project to include: a renovation and vertical addition to the existing one-story-plus-mezzanine American Buddhist Cultural Society building; an expanded second level and construction of third and fourth levels for a total of four stories and a total height of approximately 70 feet; and add approximately 16,798 gross square feet (gsf) to the existing building for a total square footage of 27,758 gsf, located at 1730-1750 Van Ness Avenue, Assessor's Block 0622, Lot 019. (Appellant: 1776 Sacramento Street Homeowners Association, represented by the Law Offices of Stephen M. Williams).

(Filed September 9, 2004; companion measure to Files 041276, 041277, 041278; District 3.)

10/19/2004, CONTINUED. Continued to November 16 ,2004

11/16/2004, CONTINUED. Continued to December 14, 2004

12/14/2004, CONTINUED. Continued to January 25, 2005 at 4:00 p.m

1/25/2005, CONTINUED. Continued to February 8, 2005 at 4:00 p.m.

2/8/2005, CONTINUED. Continued to March 15, 2005.

3/15/2005, CONTINUED. The President inquired as to whether or not a member of the public wished to address the Board. Continued to April 26, 2005

4/26/2005, CONTINUED. Continued to June 28, 2005

6/28/2005, CONTINUED. Continued to September 20, 2005.

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the certification of determination of exemption/exclusion from environmental review decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

18. 041276 **[Affirming the categorical exemption issued for 1730-1750 Van Ness Avenue]**
Motion affirming the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

10/19/2004, CONTINUED. Continued to November 16, 2004
11/16/2004, CONTINUED. Continued to December 14, 2004
12/14/2004, CONTINUED. Continued to January 25, 2005 at 4:00 p.m.
1/25/2005, CONTINUED. Continued to February 8, 2005 at 4:00 p.m.
2/8/2005, CONTINUED. Continued to March 15, 2005
3/15/2005, CONTINUED. Continued to April 26, 2005
4/26/2005, CONTINUED. Continued to June 28, 2005.
6/28/2005, CONTINUED. Continued to September 20, 2005.
Question: Shall this Motion be APPROVED?

19. 041277 **[Disapproving the categorical exemption issued for 1730-1750 Van Ness Avenue]**
Motion disapproving the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

10/19/2004, CONTINUED. Continued to November 16, 2004
11/16/2004, CONTINUED. Continued to December 14, 2004
12/14/2004, CONTINUED. Continued to January 25, 2005 at 4:00 p.m.
1/25/2005, CONTINUED. Continued to February 8, 2005 at 4:00 p.m.
2/8/2005, CONTINUED. Continued to March 15, 2005
3/15/2005, CONTINUED. Continued to April 26, 2005
4/26/2005, CONTINUED. Continued to June 28, 2005.
6/28/2005, CONTINUED. Continued to September 20, 2005.
Question: Shall this Motion be APPROVED?

20. 041278 **[Preparation of findings related to the categorical exemption issued for 1730-1750 Van Ness Avenue]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

10/19/2004, CONTINUED. Continued to November 16, 2004
11/16/2004, CONTINUED. Continued to December 14, 2004
12/14/2004, CONTINUED. Continued to January 25, 2005 at 4:00 p.m.
1/25/2005, CONTINUED. Continued to February 8, 2005 at 4:00 p.m.
2/8/2005, CONTINUED. Continued to March 15, 2005
3/15/2005, CONTINUED. Continued to April 26, 2005
4/26/2005, CONTINUED. Continued to June 28, 2005.
6/28/2005, CONTINUED. Continued to September 20, 2005.
Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

21. 051222 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 899 North Point Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 22, 2005, exempting from environmental review under Categorical Exemption, State CEQA Guidelines Sections 15303(b) and General Rule Exclusion, under CEQA Guidelines Section 15061(b)(3). The proposed project would involve the demolition of a vacant gas station building, approximately 1,650 square feet in size, and construction of a four-story, five-unit residential building. The proposed project would provide seven off-street parking spaces on the ground floor. Entrance and access to the residential units would be from Larkin Street and vehicular entrance and access would be from North Point Street. The project site at 899 North Point Street (Assessor's Block 0026, Lot 020) is approximately 5,469 square feet in size and located on the southeastern corner of North Point and Larkin Streets in the Russian Hill neighborhood on the block bounded by Larkin, North Point, Hyde and Bay Streets. The project site is zoned RH-3 (Residential, House, Three-Family) and is within a 40-X height and bulk district. The project site is also located in the Waterfront Special Use District No. 2, per Section 240.2 of the San Francisco Planning Code. (Appellant: Stephen M. Williams.)

(Filed June 17, 2005; companion measure to Files 051223, 051224, 051225; District 2.)

7/26/2005, CONTINUED. Continued to August 9, 2005

8/9/2005, CONTINUED. Continued to September 20, 2005

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

22. 051223 [Affirming the categorical exemption issued for 899 North Point Street]

Motion affirming the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act.

(Clerk of the Board)

7/26/2005, CONTINUED. Continued to August 9, 2005

8/9/2005, CONTINUED. Continued to September 20, 2005

Question: Shall this Motion be APPROVED?

23. 051224 **[Disapproving the categorical exemption issued for 899 North Point Street]**
Motion disapproving the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/26/2005, CONTINUED Continued to August 9, 2005
8/9/2005, CONTINUED Continued to September 20, 2005
Question: Shall this Motion be APPROVED?

24. 051225 **[Preparation of findings related to the categorical exemption issued for 899 North Point Street]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/26/2005, CONTINUED. Continued to August 9, 2005
8/9/2005, CONTINUED. Continued to September 20, 2005
Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

25. 051402 **[Public Hearing - Appeal of Categorical Exemption for 3350 20th Street (Quonset Hut structure)]**
Hearing of persons interested in or objecting to the decision of the Planning Department dated October 7, 2004, exempting from environmental review under Categorical Exemption, State CEQA Guidelines Section 15301 (l) (3), the demolition of a small commercial structure. The proposed project involves the demolition of the Quonset Hut structure located at at 3350 20th Street, Assessor's Block 3594, Lot 15. (Appellant: Sue C. Hestor, Attorney, representing Mission Anti-Displacement Coalition).

9/13/2005, CONTINUED. Continued to September 20, 2005.
Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

26. 051403 [Affirming the categorical exemption issued for 3350 20th Street]

Motion affirming the determination by the Planning Department that the 3350 20th Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

9/13/2005, CONTINUED. Continued to September 20, 2005

Question: Shall this Motion be APPROVED?

27. 051404 [Disapproving the categorical exemption issued for 3350 20th Street]

Motion disapproving the determination by the Planning Department that the 3350 20th Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

9/13/2005, CONTINUED. Continued to September 20, 2005

Question: Shall this Motion be APPROVED?

28. 051405 [Preparation of findings related to the categorical exemption issued for 3350 20th Street]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 3350 20th Street Project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

9/13/2005, CONTINUED. Continued to September 20, 2005

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

From the Rules Committee

The following items were considered by the Rules Committee at a Regular Meeting on Wednesday, September 14, 2005 at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, September 20, 2005.

29. 051033 [Additional Eligibility Requirements to Participate in Public Financing Program for Candidates for the Board of Supervisors]

Supervisor Elsbernd

Ordinance amending Article I, Chapter 1 of the San Francisco Campaign and Governmental Conduct Code, by amending section 1.140 to disqualify any candidate with outstanding fines or penalties for violations of state or local campaign finance laws from participation in the public finance program and to render ineligible for participation for five years candidates found by a court to have knowingly, willfully or intentionally violated state or local campaign finance laws.

8/9/2005, SUBSTITUTED. Supervisor Elsbernd submitted a substitute ordinance bearing new title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

30. 051151 **[Application of the City's Conflict of Interest Laws to Members of the Landmarks Preservation Advisory Body]**

Supervisor Peskin

Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding section 3.203 to apply the City's conflict of interest laws to members of advisory bodies who are required to file statements of economic interests.

Question: Shall this Ordinance be PASSED ON FIRST READING?

31. 051327 **[Appointment - Asthma Task Force]**

Resolution appointing Kimberley Knox, term ending June 30, 2007, to the Asthma Task Force.

Kimberley Knox, succeeding Lucille Valdivia, resigned, seat 22, must be an individual who represents tenant interests (non-voting member), for the unexpired portion of a two-year term ending June 30, 2007.

Question: Shall this Resolution be ADOPTED?

32. 051330 **[Appointment - Golden Gate Bridge, Highway and Transportation District]**

Resolution appointing Lynne Newhouse Segal, term ending January 31, 2007, to the Board of Directors, Golden Gate Bridge, Highway and Transportation District.

Lynne Newhouse Segal, succeeding Maryanne Harrison, deceased, seat 4, represents public at large, subject to review and affirmation by the Board of Supervisors in January of each odd-numbered year, for the unexpired portion of a two-year term ending January 31, 2007.

Question: Shall this Resolution be ADOPTED?

33. 051498 **[Appointment - Assessment Appeals Board No. 1]**

Resolution appointing Diane Robinson and Stephen Wasserman, terms ending September 1, 2008, to the Assessment Appeals Board No. 1.

Diane Robinson, succeeding herself, term expired, seat 3, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: certified public accountant (CPA) or public accountant (PA); licensed real estate broker; attorney; or a property appraiser accredited by a nationally recognized professional organization, or property appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board, for the unexpired portion of a three-year term ending September 1, 2008.

Stephen Wasserman, succeeding Carol Ruth Silver, resigned, seat 7 (ALTERNATE/HEARING OFFICER), must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: certified public accountant (CPA) or public accountant (PA); licensed real estate broker; attorney; or a property appraiser accredited by a nationally recognized professional organization, or property appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board, for the unexpired portion of a three-year term ending September 1, 2008.

Question: Shall this Resolution be ADOPTED?

CORRECTED PAGE

30. 051151 **[Application of the City's Conflict of Interest Laws to Members of Certain Advisory Bodies]**
Supervisor Peskin
Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding section 3.203 to apply the City's conflict of interest laws to members of advisory bodies who are required to file statements of economic interests.

Question: Shall this Ordinance be PASSED ON FIRST READING?

31. 051327 **[Appointment - Asthma Task Force]**
Resolution appointing Kimberley Knox, term ending June 30, 2007, to the Asthma Task Force.
Kimberley Knox, succeeding Lucille Valdivia, resigned, seat 22, must be an individual who represents tenant interests (non-voting member), for the unexpired portion of a two-year term ending June 30, 2007.

Question: Shall this Resolution be ADOPTED?

32. 051330 **[Appointment - Golden Gate Bridge, Highway and Transportation District]**
Resolution appointing Lynne Newhouse Segal, term ending January 31, 2007, to the Board of Directors, Golden Gate Bridge, Highway and Transportation District.
Lynne Newhouse Segal, succeeding Maryanne Harrison, deceased, seat 4, represents public at large, subject to review and affirmation by the Board of Supervisors in January of each odd-numbered year, for the unexpired portion of a two-year term ending January 31, 2007.

Question: Shall this Resolution be ADOPTED?

33. 051498 **[Appointment - Assessment Appeals Board No. 1]**
Resolution appointing Diane Robinson and Stephen Wasserman, terms ending September 1, 2008, to the Assessment Appeals Board No. 1.
Diane Robinson, succeeding herself, term expired, seat 3, must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: certified public accountant (CPA) or public accountant (PA); licensed real estate broker; attorney; or a property appraiser accredited by a nationally recognized professional organization, or property appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board, for the unexpired portion of a three-year term ending September 1, 2008.
Stephen Wasserman, succeeding Carol Ruth Silver, resigned, seat 7 (ALTERNATE/HEARING OFFICER), must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: certified public accountant (CPA) or public accountant (PA); licensed real estate broker; attorney; or a property appraiser accredited by a nationally recognized professional organization, or property appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board, for the unexpired portion of a three-year term ending September 1, 2008.

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Question: Shall this Resolution be ADOPTED?

34. 051499 [Appointment - Assessment Appeals Board No. 2]

Resolution appointing Calvin Abe, term ending September 4, 2006, and Joseph Tham, term ending September 1, 2008, to the Assessment Appeals Board No. 2.

Calvin Abe, succeeding Richard Lee, resigned, seat 7 (ALTERNATE/HEARING OFFICER), must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: certified public accountant (CPA) or public accountant (PA); licensed real estate broker; attorney; or a property appraiser accredited by a nationally recognized professional organization, or property appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board, for the unexpired portion of a three-year term ending September 4, 2006.

Joseph Tham, succeeding himself, term expired, seat 8 (ALTERNATE/HEARING OFFICER), must meet the eligibility criteria set forth in Section 1624.05 of the California Revenue and Taxation Code: Must have a minimum of five years professional experience in the State of California as one of the following: certified public accountant (CPA) or public accountant (PA); licensed real estate broker; attorney; or a property appraiser accredited by a nationally recognized professional organization, or property appraiser certified by the Office of Real Estate Appraisers; or he or she is a current member of an assessment appeals board, for the unexpired portion of a three-year term ending September 1, 2008.

Question: Shall this Resolution be ADOPTED?

From the Budget and Finance Committee

The following item will be considered by the Budget and Finance Committee at a Regular Meeting on Thursday, September 15, 2005 at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, September 20, 2005.

35. 051500 [Public Education Enrichment Fund]

Supervisor Ammiano

Resolution approving the San Francisco Unified School District revised expenditure plans for the Public Education Enrichment Fund.

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

36. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

37. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 38 through 51

38. 051560 **[Emergency Disadvantaged Business Enterprise Program - September 27, 2005, Committee of the Whole]**

Supervisor Ma

Motion for the Board of Supervisors to convene as a committee of the whole on September 27, 2005, at 4:00 p.m. to accept public testimony concerning the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

9/13/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

39. 051567 **[Accept-Expend Federal Grant - Department of Parking and Traffic]**

Supervisor Mirkarimi

Resolution authorizing the Department of Parking and Traffic to retroactively accept and expend a grant in the amount of $500,000 from the Metropolitan Transportation Commission (MTC) to integrate the SFgo Transportation Management Center (TMC) with Caltrans District 4 in Oakland and 511 to exchange real-time transportation information.

9/13/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 051568 [Accept-Expend Federal/State Pass Through Grant - Department of Public Library]

Supervisors Alioto-Pier, Dufty

Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of $17,447 from the California State Library as part of the Federal Library Services and Technology Act (LSTA) for reimbursing tuition expenses of library employees pursuing a degree or certificate in library science at an institution of higher education.

9/13/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

41. 051571 [Supporting Gay Marriage AB849]

Supervisors Ammiano, Dufty, Daly, Sandoval

Resolution declaring support for eliminating legal discrimination against same-sex couples in the provision of civil marriage licenses and further supporting The Religious Freedom and Civil Marriage Protection Act, AB849 and further urging the Governor of California, Arnold Schwarzenegger to sign The Religious Freedom and Civil Marriage Protection Act to protect all families of California.

9/13/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 051572 [SFUSD Labor-Management Dispute]

Supervisor Ammiano

Resolution urging the San Francisco Board of Education and the San Francisco Unified School District Superintendent, Arlene Ackerman, to seek all avenues available to resolve the current labor and management dispute, including finding a informal or local mediator and utilizing portions of Proposition H, the Public Education Enrichment Fund, to fund salaries for the lowest paid and most vulnerable School District employees.

9/13/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. 051573 [Declaring September 24, 2005 as Grand Duchess Sophilya Leggz and Grand Duke Mike Manicotti Day]

Supervisor Ammiano

Resolution declaring September 24, 2005 as Grand Duchess Sophilya Leggz and Grand Duke Mike Manicotti Day in the City and County of San Francisco.

9/13/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

44. 051574 [Accept and Expend Grant - Sheriff's Department]

Supervisor Maxwell

Resolution authorizing the Sheriff's Department to accept and expend a continuation grant in the amount of $76,283 from the Private Industry Council of San Francisco for providing employment and education services to young offenders and after their release from the county jail.

9/13/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

45. 051575 **[Honoring Richmond Area Multi-Services, Inc. (RAMS)]**

Supervisor McGoldrick

Resolution honoring Richmond Area Multi-Services, Inc. (RAMS) for their commitment and contributions to the San Francisco community.

9/13/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

46. 051576 **[Commending Founders of the First Annual Fulton Street Fair]**

Supervisor Mirkarimi

Resolution commending the Alamo Square Neighborhood Association and the Third Baptist Church for founding the First Annual Fulton Street Fair (aka "The Love Connection").

9/13/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

47. 051578 **[Declaring October 3, 2005 "B.K.S. Iyengar Day" in San Francisco]**

Supervisor Peskin

Resolution declaring October 3, 2005 "B.K.S. Iyengar Day" in San Francisco.

9/13/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

48. 051579 **[Commending Lee Blitch]**

Supervisor Peskin

Resolution commending Lee Blitch for his invaluable contributions to the City and County of San Francisco.

9/13/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

49. 051580 **[Urging SFUSD Superintendent Arlene Ackerman to forego the provision in her current contract for a $375,000 severance package]**

Supervisor Sandoval

Resolution urging San Francisco Unified School District Superintendent Arlene Ackerman to forego the provision in her current contract for a $375,000 severance package.

9/13/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

50. 051577 [Waiver Permitting City Employees to Assist the Department of Elections with the November 8, 2005 election]

Supervisor Peskin

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the November 8, 2005 election.

9/13/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

51. 051555 [Needle Exchange Emergency]

Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

9/13/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

52. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from September 3, 2005 through September 12, 2005, for reference by President to appropriate committee on September 20, 2005.

051521 **[Designate 150 Otis Street, the Juvenile Court and Detention Home, as Landmark No. 248]**
Ordinance designating 150 Otis Street, the Juvenile Court and Detention Home, as Landmark No. 248 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code.
(Planning Department)

9/7/2005, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from September 3, 2005 through September 12, 2005, for reference by President to appropriate committee on September 20, 2005.

051530 **[Airport Public Parking Services Proposition]**
Resolution approving the Controller's certification that Airport Public Automobile Parking Facilities for San Francisco International Airport can practically be performed by private contractor at a lower cost than if work were performed by city employees at budgeted levels.
(Airport Commission)

9/9/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051531 **[Airport Employee Parking Services Proposition J]**
Resolution approving the Controller's certification that Airport Employee Parking Facilities for San Francisco International Airport can practically be performed by private contractor at a lower cost than if work were performed by city employees at budgeted levels.
(Airport Commission)

9/9/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051532 **[Report of assessment costs for sidewalk and curb repairs]**
Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.
(DPW Order No. 175,586; Location: 534 Octavia Street.)

9/12/2005, SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

051533 **[Contract between the Department of Public Health and Accordis, Inc. to provide retroactive claiming of aged accounts services]**
Resolution authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to continue a contract between the City and County of San Francisco and Accordis, Inc. to provide retroactive claiming of aged accounts services for the period of July 1, 2004 through June 30, 2008.
(Public Health Department)

9/12/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051594 **[Confirming appointment of Hunter Stern to the Municipal Transportation Agency Board of Directors]**

Mayor

Resolution confirming the appointment of Hunter Stern to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2009.

9/13/2005, RECEIVED AND ASSIGNED to Rules Committee.

051601 [Petitions and Communications]

Petitions and Communications received from September 3, 2005 through September 12, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on September 20, 2005.

From Sue Hestor, submitting request for continuance of appeal of Final Environmental Impact Report for 491 Bayshore Boulevard (Home Depot). File 051445, Copy: Each Supervisor, City Attorney (1)

From San Francisco Examiner, regarding the August 6, 2005 launch of the new Examiner Weekend which replaces the San Francisco Independent. File 051352 (2)

From Bobbie Sue Hood, submitting opposition to proposed street vacation of a portion of Bernal Heights Boulevard west of Moultrie Street. File 050853 (3)

From Office of the Treasurer, submitting the investment activity (for fiscal year to date) of the portfolios under management. (4)

From Civil Service Commission, submitting the Civil Service Commission's fiscal year 2003-04 Annual Report. (5)

From Planning Department, submitting response to the 2004-05 Civil Grand Jury Continuity Report, Part IV "An Opportunity for Moving Stalled Implementation Forward". (6)

From Planning Department, submitting notice of preparation of an Environmental Impact Report and Notice of Public Scoping Meetings for SFPUC Water System Improvement Program. (7)

From Southeast Community Facility Commission, submitting Annual Statement of Purpose and Annual Repot for July 1, 2004 through June 30, 2005. (8)

From Clerk of the Board, submitting election schedules which pertain to the various actions and deadlines for the June 6, 2006 Election to be held in the City and County of San Francisco. Copy: Each Supervisor (9)

From California Academy of Sciences, submitting budget certification for the Steinhart Aquarium for fiscal year 2005/06. (10)

From Office of the Controller, concerning replacement of graffiti-damaged parking and traffic signs with signs containing graffiti-resistant sheeting. (Reference No. 20050628-003) Copy: Supervisor Dufty (11)

From Chapel of the Avenues, submitting copy of letter sent to Judge Kahn regarding assault by a homeless person. (12)

From Public Utilities Commission, submitting notice that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors for the department to meet service levels as proposed to the Board is not adequate for the department; and the PUC plans to submit a supplemental appropriation request later this fall to fund litigation costs. The costs were not anticipated at the time the fiscal year 2005/06 budget was submitted. (13)

From Department of Parking and Traffic, regarding scheduled date to repaint faded crosswalks at the intersection of Fulton and Lyon Streets. (Reference No. 20050816-003) Copy: Supervisor Mirkarimi (14)

From Back and Body Care, submitting support for legislation that exempts food pushcart peddlers (who obtain permits from BART to operate carts at the 16th and 24th Street BART Stations/Plazas)

from requirements of a Police Department permit, to pay permit application/annual license fees, and meet public hearing requirements. (15)

From Board of Appeals, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (16)

From Office of the Controller, regarding how the Department of Parking and Traffic staffs their customer service centers at the Residential Permit Parking Program. (Reference No. 20050712-008) Copy: Supervisor Dufty (17)

From concerned citizens, submitting opposition to opening a Home Depot on Bayshore Boulevard. File 051446 (18)

From Ed McDonald, submitting opposition to any ban on guns in San Francisco. Copy: Supervisor Daly (19)

From Office of the City Attorney, City of San Jose, submitting response to Pacific Gas and Electric Company's petition for modification of Decision 03-10-040. (20)

From Mary Ellen Wilson, commenting that the Green Cross Marijuana Clinic at 22nd and Guerrero Streets has increase parking problems and the smell of marijuana smoke in the area. Copy: Supervisor Dufty (21)

From concerned citizens, regarding home ownership in San Francisco. (22)

From Abdallah Megahed, commenting on various homeless issues. (23)

From D. Wood, submitting support for birthing the USS Iowa in San Francisco. (24)

From Lewis Ellingham, concerning why 24/7 management presence is important at all Housing Authority buildings. (25)

From Florence Fung, submitting copy of letter sent to the Library Commission and the Department of Public Works requesting property line identification and survey reports for the West Portal Public Library Project, foreign object removal at/near property line and for dirt replacement, barrier installation at property line.
(26)

From Justin Jouvenal, regarding the San Francisco Examiner's project to evaluate each member of the Board of Supervisors. (27)

From Raphael Mazor, submitting opposition to the Governor's decision to veto the same sex marriage bill. (28)

From Office of the Controller, submitting report concerning the audit of the Commission on the Environment's cash revolving fund. (29)

From Alyssa Morgan, requesting financial help to develop a mural program for the students at A.P. Giannini Middle School in the Sunset District of San Francisco. (30)

From Martha Sue Harris, commenting on the aftermath of Hurricane Katrina and questioning how San Franciscans will be protected in case of an emergency. (31)

From U.S. Department of the Interior Bureau of Land Management, submitting news release that a comprehensive and cooperative management plan for the California Coastal National Monument, along the scenic 1,100 mile California coast was approved September 8, 2005 by the U.S. Department of the Interior Bureau of Land Management. (32)

From Marisol Vazquez, urging the Board of Supervisors to do what it can to help Susan Cervantes from being evicted from her rented family home of 35 years, located at 398 Precita Avenue, by the new owners of that property. (33)

From Stanyan Fell Neighborhood Association, submitting support for Planning Commission Item #2005.0197C - the Asian American Recovery Center expansion from 22 to 26 beds. (34)

From Commissioner Paul Kangas, urging the Board of Supervisors to pass a resolution requiring each San Francisco drug treatment program to inform all clients in writing, of other options and modalities for treating addictions; including a list of phone numbers of several practitioners of each modality. (35)

From Graffiti Advisory Board, submitting the San Francisco Graffiti Advisory Board Annual Report covering the period of March 2004 through June 2005. Copy: Each Supervisor (36)

ADJOURNMENT

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

City and County of San Francisco
NOTICE OF PUBLIC HEARING
Board of Supervisors

General Notice Transmitted 08-31-05

A public hearing will be held on 9/27/05 at 4:30 PM, or as soon as possible after that time, at Legislative Chamber, Rm 250, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

The Board of Supervisors will hold a public hearing relative to the listed subjects. All interested parties are cordially invited to attend. Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.

Mail comments for the Listed Files to: Board of Supervisors, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

051445 Public Hearing - Appeal of Final Environmental Review for 491 Bayshore Boulevard (HOME DEPOT)

/05

Hearing of persons interested in or objecting to the Planning Commission's July 28, 2005, certification of a Final Environmental Impact Report identified as Case No. 2001.0062E, through its Motion 17071. The proposed project would involve the demolition of the existing vacant buildings equaling approximately 107,372 square feet and the construction of approximately 140,000 square foot home improvement center (HOME DEPOT) with a separate, attached 235,597 square foot parking garage accommodating 585 parking spaces with an M-1 (Light Industrial) District, a 65-J Height and Bulk District, and the Industrial Protection Zone Special Use District, located at 491 Bayshore Boulevard, Assessor's Block 5598, Lots 8, 9, 11, 13, 15, 16, 18, 21 and 28. (Appellant: Sue C. Hestor, Attorney, on behalf of Cole Hardware).

Gloria L. Young, Clerk of the Board

NOTE:
Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

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BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.

SEP 23 2005

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Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, September 27, 2005 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Ammiano, Mirkarimi, Elsbernd	Thursday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Peskin, Elsbernd, Daly	2nd and 4th Monday 1:00 PM
Land Use Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Alioto-Pier, Mirkarimi, Peskin	Wednesday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices. (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Meeting Minutes for September 6, 2005.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 25

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

1. 051390 **[Setting San Francisco's fiscal year 2005-2006 property tax rate and establishing pass-through rate for residential tenants]**
Supervisor Peskin
Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2006.
(Fiscal impact.)

9/20/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

2. 051391 **[Setting San Francisco Community College District's fiscal year 2005-2006 property tax rate to be included in the City's overall property tax rate]**

Supervisor Peskin

Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2006.

(Fiscal impact.)

9/20/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 051392 **[Setting San Francisco Unified School District's fiscal year 2005-2006 property tax rate to be included in the City's overall property tax rate]**

Supervisor Peskin

Ordinance providing revenue and levying property taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 2006.

(Fiscal impact.)

9/20/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 051393 **[Setting San Francisco Bay Area Rapid Transit District's fiscal year 2005-2006 property tax rate to be included in the City's overall property tax rate]**

Supervisor Peskin

Ordinance providing revenue and levying property taxes for San Francisco Bay Area Rapid Transit District purposes for the fiscal year ending June 30, 2006.

(Fiscal impact.)

9/20/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 050645 **[Amendment of Contract between Ciber, Inc. and the City and County of San Francisco for Computer-related Services]**

Supervisor Daly

Resolution authorizing the Committee on Information Technology and Purchaser to amend the contract between Ciber, Inc. and the City and County of San Francisco for computer-related services by increasing the amount of the contract from an amount not to exceed $9,999,999 to an amount not to exceed $25,000,000.

(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present Supervisors McGoldrick, Dufty, Ma

6. 051060 **[Liquor License, 85 Campton Place]**
Resolution determining that the transfer of a Type 48 on-sale general public premises license from 303 Filbert Street to 85 Campton Place to RHS Partners, LLC for 85 Campton Place will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

7. 051336 **[Street Improvements on 25th Avenue]**
Supervisor McGoldrick
Resolution requesting that the Municipal Transportation Agency and Department of Public Works, work with the 25th Avenue Neighborhood Association to address, improve, and enhance conditions on 25th Avenue, and to expend funds as feasible and necessary to meet those ends.

7/26/2005, REFERRED to City Operations and Neighborhood Services Committee. Supervisor Ma requested that this matter be referred to Committee.

Question: Shall this Resolution be ADOPTED?

8. 051353 **[Liquor License, 230 West Portal Ave.]**
Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Eclectic Cup, LLC, for Que Syrah located at 230 West Portal Ave., will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

9. 051355 **[Liquor License, 50 Mason Street]**
Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Bakhshish Kaur, for San Francisco Comedy Club located at 50 Mason Street, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.

Question: Shall this Resolution be ADOPTED?

10. 051373 [Parking Regulations]
Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO PARKING, 10 PM TO 6 AM, EVERYDAY - ESTABLISH
Alemany Boulevard, both sides, between Sagamore and Crystal Streets.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Red Rock Way, from the driveway of #15 and #55 Red Rock Way driveway to 34 feet northerly and from the same driveway to 27 feet westerly.

NO PARKING ANYTIME - RESCIND
Wright Street, north side, from Holladay Avenue to Montcalm Street

RED (NO PARKING ANYTIME) ZONE - ESTABLISH
Montcalm Street, east side, from 126 feet north of York Street to 55 feet northerly

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Washburn Street, east side, from 56 feet to 120 feet north of Howard Street

RESIDENTIAL PERMIT PARKING AREA "L" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Rossi Avenue, west side, between Anza Street and Turk Boulevard (Unit block).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Lincoln Way, north side, from 41st Avenue to 100 feet easterly.

RESIDENTIAL PERMIT PARKING "A" AND "C" - RESCIND
PARKING METER AREA NO. 3 (1-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Broadway, south side, from Powell Street to 80-feet westerly

PARKING METERS, AREA NO. 4 (1-HOUR PARKING TIME LIMIT, 9 AM - 6 PM MONDAY THROUGH SATURDAY) - RESCIND
PARKING METERS, AREA NO. 4 (1-HOUR PARKING TIME LIMIT, 7 AM - 7 PM EVERYDAY) - ESTABLISH
Bay Street, south side, between Taylor and Mason Streets.

PARKING METERS, AREA NO. 4, (1-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - RESCIND
PARKING METERS, AREA NO. 3 (1-HOUR PARKING TIME LIMIT, 9 AM - 6 PM MONDAY THROUGH SATURDAY) - ESTABLISH
Mason Street, west side, from Bay Street to 65 feet southerly.

PARKING METERS, 2-HOUR, 9 AM TO 6 PM, MONDAY THROUGH FRIDAY -ESTABLISH
Bryant Street, west side, between 18th and Mariposa Streets.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Larkin Street, west side, between the north and south Fulton Street crosswalks.

TOUR BUS PARKING ONLY (15- MINUTE PARKING TIME LIMIT), 8 AM - 6 PM, EVERYDAY - ESTABLISH
Fulton Street, north side, between 115 feet east of Larkin Street and 125 feet west of Hyde Street (adds time limit to existing zone).
(Parking and Traffic Department)
(7/27/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and

parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3030.)

Question: Shall this Resolution be ADOPTED?

11. 051374 [STOP Intersections]
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
20th Avenue and Pacheco Street, stopping Pacheco Street at 20th Avenue, making this intersection an All-Way STOP;
La Playa and Judah Streets, stopping northbound La Playa Street, south of the Judah intersection in front of 1400 La Playa Street; and,
La Playa and Judah Streets, stopping westbound Judah Street at La Playa Street on the south side of 1396 La Playa Street.
(Parking and Traffic Department)
(7/27/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3030.)

Question: Shall this Resolution be ADOPTED?

12. 051375 [Traffic Regulations]
Resolution enacting and rescinding traffic regulations on various streets.

ONE-WAY STREET - ESTABLISH
Wright Street, from Montcalm Street to Holladay Avenue, eastbound

MULTIPLE LEFT TURN LANES - RESCIND
Main Street, northbound, at Market Street
(Parking and Traffic Department)
(7/27/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3030.)

Question: Shall this Resolution be ADOPTED?

13. 051410 [Parking Regulations]
Supervisor McGoldrick
Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Stanyan Street, west side, from 118 feet to 275 feet south of Fulton Street
(8/4/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Question: Shall this Resolution be ADOPTED?

14. 051411 [Traffic Regulations]
Supervisor McGoldrick
Resolution enacting and rescinding traffic regulations on various streets.

RIGHT LANE MUST TURN RIGHT - RESCIND
Stanyan Street, west side, from Fulton Street to 120 feet northerly

NO LEFT TURN, 4 PM TO 6 PM - RESCIND
NO LEFT TURN, 11 AM TO 6 PM, EVERYDAY, EXCEPT TAXIS - ESTABLISH
Fulton Street, eastbound and westbound, at Stanyan Street

NO LEFT TURN - ESTABLISH
Fulton Street, eastbound, at 10th Avenue
(8/4/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Question: Shall this Resolution be ADOPTED?

15. 051467 [CalHome Application]
Supervisor Elsbernd
Resolution authorizing the submittal of an application to the California Department of Housing and Community Development for funding under the CalHome Program; the execution of a standard agreement if selected for such funding and any amendments thereto; and any related documents necessary to participate in the CalHome Program.

Question: Shall this Resolution be ADOPTED?

16. 051486 [STOP Intersections]
Supervisor Elsbernd
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Buena Vista Avenue East at Duboce Avenue, making this intersection an All-Way STOP; and, Teresita Boulevard and Stillings Avenue, stopping Teresita Boulevard, making this intersection an All-Way STOP.
(Parking and Traffic Department)
(8/11/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3044.)

Question: Shall this Resolution be ADOPTED?

17. 051496 [Recurring FY2005-2006 State grant funds to the Department of Public Health from the California Department of Health Services]
Resolution authorizing the acceptance and expenditure of State grant funds by the San Francisco Department of Public Health for FY 2005-2006.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

18. 051506 **[Improve HIV/AIDS treatment and prevention services in San Francisco]**

Supervisors Dufty, Ammiano

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of $1,488,000 from the Department of Health and Human Services, Centers for Medicare and Medicaid Services (DHHS,CMMS) to improve HIV/AIDS treatment and prevention services in San Francisco and to enter into an agreement for the use of these funds; for the period of July 1, 2005 to June 30, 2006.

Question: Shall this Resolution be ADOPTED?

19. 051507 **[Contract funds to participate in the traineeship for AIDS prevention studies at the University of California at San Francisco Center on AIDS Prevention]**

Supervisors Dufty, Ammiano

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement with the University of California San Francisco, Center on AIDS Prevention Studies (UCSFCAPS) the primary contractor, and expend funds in the amount of $6,624 in order to participate in the traineeship for AIDS prevention studies (TAPS) at UCSFCAPS for the two month period of July 1, 2005, through August 31, 2005.

Question: Shall this Resolution be ADOPTED?

20. 051517 **[To provide trauma and burn care supplies to the San Francisco General Hospital Trauma Center cache]**

Supervisor Ma

Resolution authorizing the San Francisco Department of Public Health, San Francisco County EMS Agency (SFDPH,EMS) to accept retroactively and expend a grant in the amount of $127,272 from the State Emergency Medical Services Authority (SEMSA) to provide trauma and burn care supplies to the San Francisco General Hospital Trauma Center cache and to enter into an agreement for the use of these funds; for the period of June 6, 2005 through October 31, 2005.

Question: Shall this Resolution be ADOPTED?

21. 051518 **[To provide health education services to youth in San Francisco]**

Supervisor Ma

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a new grant in the amount of $127,000 from the State Office of Family Planning (SOFP) for health education services to youth in San Francisco and to enter into an agreement for the use of these funds; for the period of July 1, 2005, through June 30, 2006.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Elsbernd, Daly

22. 051454 **[Authorizing a Change in Use of Grant Funds]**
Supervisor Daly
Ordinance authorizing a change in the use of San Francisco Convention and Facilities Department grant funds to permit the funds to be used for an affordable housing development without a proposed pavilion.

9/20/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

23. 050829 **[Requiring baby diaper-changing accommodations in new Public-Serving and Substantially Renovated Public-Serving Establishments]**
Supervisor Sandoval
Ordinance amending the Planning Code by adding Section 166 to require that new public-serving establishments and substantially renovated public-serving establishments install baby diaper-changing accommodations; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

9/20/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

24. 051033 **[Additional Eligibility Requirements to Participate in Public Financing Program for Candidates for the Board of Supervisors]**
Supervisor Elsbernd
Ordinance amending Article I, Chapter 1 of the San Francisco Campaign and Governmental Conduct Code, by amending section 1.140 to disqualify any candidate with outstanding fines or penalties for violations of state or local campaign finance laws from participation in the public finance program and to render ineligible for participation for five years candidates found by a court to have knowingly, willfully or intentionally violated state or local campaign finance laws.

8/9/2005, SUBSTITUTED. Supervisor Elsbernd submitted a substitute ordinance bearing new title.

9/20/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

25. 051151 **[Application of the City's Conflict of Interest Laws to Members of Certain Advisory Bodies]**
Supervisor Peskin
Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding section 3.203 to apply the City's conflict of interest laws to members of advisory bodies who are required to file statements of economic interests.

9/20/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Elsbernd, Daly

26. 051511 **[To appropriate general fund reserve to the Board of Supervisors for the Budget Analyst to perform a management audit of the Office of Emergency Services]**
Supervisors Peskin, Mirkarimi
Ordinance appropriating $179,385 from the General Fund Reserve to the Board of Supervisors to pay the Budget Analyst to perform a management audit of the Office of Emergency Services for Fiscal Year 2005-2006.

9/13/2005, PASSED ON FIRST READING. Supervisor Mirkarimi requested to be added as a co-sponsor.
9/20/2005, AMENDED. Amended to replace "$179,358" with "$179,385."
9/20/2005, PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

27. 050456 **[Planning Code - Section 311 Notification]**
Supervisor McGoldrick
Ordinance amending the San Francisco Planning Code by amending Section 311 to clarify that the project notification requirements apply to building permits for demolition and change in the number of dwelling units as well as to building permits for new construction and alteration and to require that the notification package sent to neighboring property owners include specified information; adopting environmental findings and findings pursuant to Planning Code Section 302.

9/20/2005, AMENDED.
9/20/2005. PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present Supervisors Alioto-Pier, Mirkarimi, Peskin

28. 051005 **[Cable Television Franchise Amendments]**

Mayor

Ordinance amending Ordinance No. 105-64, as amended by Ordinance Nos. 528-88, 315-89, 42-91, 42-97, and 266-99, by amending sections 1, 9, 24.3, 25, 25.5, 27.2, 31, and 32 and Appendix C to extend the term of the franchise and to clarify and expand the obligations of the Comcast of California III, Inc.

8/9/2005, CONTINUED. Continued to August 16, 2005

8/16/2005, CONTINUED. Continued to September 13, 2005

9/13/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

9/13/2005, PASSED ON FIRST READING AS AMENDED. Continued to September 27, 2005

Question: Shall this Ordinance be FINALLY PASSED?

29. 051006 **[Settlement of Claims - Comcast of California III, Inc.]**

Mayor

Ordinance approving the settlement of certain non-litigated claims on behalf of the City and County of San Francisco against Comcast of California III, Inc.

8/9/2005, CONTINUED. Continued to August 16, 2005

8/16/2005, CONTINUED. Continued to September 13, 2005

9/13/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

9/13/2005, PASSED ON FIRST READING AS AMENDED. Continued to September 27, 2005

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

30. 051459 **[Parking Restrictions]**
Supervisor McGoldrick
Ordinance amending the San Francisco Traffic Code by amending Section 3.6.1 to redefine the Downtown Core area, by amending 38.B to prohibit no stopping except for the loading or unloading of passengers or freight in the Downtown Core, by amending 38.B.1 to prohibit no stopping except for the loading or unloading of passengers or freight outside of the Downtown Core, by amending 201.1 to revise the boundaries for Parking Meter Area Number One, and by amending 201.2 to revise the boundaries for Parking Meter Area Number Two.

Question: Shall this Ordinance be PASSED ON FIRST READING?

31. 051485 **[Parking Regulations]**
Resolution enacting and rescinding parking regulations at various locations.

NO PARKING ANYTIME - RESCIND
TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Harriet Street, east side, from Ahern Way to Harrison Street.

NO PARKING ANYTIME - ESTABLISH
Warren Drive, north side, from Blairwood Lane to 60 feet easterly.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Carolina Street, west side, from 23rd Street to 90 feet southerly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Cambridge Street, south side, from Stoneyford Avenue to 20 feet westerly (replacing the existing visibility red zone).

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
201 Telegraph Hill Boulevard (formally establishes perpendicular parking in front of this building);
275 to 285 Telegraph Hill Boulevard, along east side of Kearny Street right-of-way, from Telegraph Hill Boulevard to 39 feet northerly (5 perpendicular parking spaces); and,
18th Street, north side, between Potrero Avenue and Utah Street.

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Gough Street, east side, between Colton and Otis Streets (Unit block).

YELLOW (COMMERCIAL LOADING) ZONES, 7 AM - 6 PM, EVERYDAY, TOW-AWAY, NO STOPPING ALL OTHER TIMES - ESTABLISH
7th Street, east side, between Market and Stevenson Streets.

1-HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND
GENERAL METERED PARKING AREA 1 (1-HOUR PARKING TIME LIMIT, 7 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Stevenson Street, south side, between 5th and 6th Streets (400 block).

NO PARKING ANYTIME - ESTABLISH
Noriega Street, north side, from the western edge of the #616 Noriega Street driveway to the western edge of the #624 property line.

MUNI BUS ZONE - EXTEND
Bayshore Boulevard at Marengo Street, east side, from 60 feet to 100 feet north of Marengo Street (extend existing bus zone by 40 feet).
(Parking and Traffic Department)
(Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3044.)

Question: Shall this Resolution be ADOPTED?

32. 051487 [Traffic Regulations]
Resolution enacting and rescinding traffic regulations on various streets.

MID-BLOCK CROSSWALK - ESTABLISH
Alabama Street, between 24th and 25th Streets.
(Parking and Traffic Department)
(8/11/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3044.)

Question: Shall this Resolution be ADOPTED?

33. 051458 [Public Works Code - landmark trees and penalties for violations]
Supervisor McGoldrick
Ordinance amending the Public Works Code by amending Section 802 to modify various definitions; amending Sections 802, 806, and 809 to redefine nuisance trees as hazard trees; amending Sections 802 and 803 authorizing the Urban Forestry Council to succeed to the powers and duties of the Tree Advisory Board; amending Sections 804, 807, 808, and 810 concerning landmark trees and procedures to designate, nominate, and remove landmark trees; amending Section 811 to create civil penalties and fines and to modify provisions on administrative penalties; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

*** From the City Operations and Neighborhood Services Committee with Recommendation "Do Not Pass"

Present: Supervisors McGoldrick, Dufty, Ma

34. 050689 [Public Works Code - significant trees, landmark trees, and penalties for violations]
Supervisor Daly
Ordinance amending the Public Works Code by amending Sections 802, 804, 807, and 808 and adding Section 810A to address removal, maintenance, and nomination of significant trees as defined herein; amending Sections 802, 806, and 809 to redefine nuisance trees as hazard trees; amending Sections 802 and 803 authorizing the Urban Forestry Council to succeed to the powers and duties of the Tree Advisory Board; amending Section 810 to allow the City to landmark any tree within its territorial limits; amending Section 811 to create civil penalties and fines and to modify provisions on administrative penalties; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

32. 051487 [Traffic Regulations]
Resolution enacting and rescinding traffic regulations on various streets.

MID-BLOCK CROSSWALK - ESTABLISH
Alabama Street, between 24th and 25th Streets.
(Parking and Traffic Department)
(8/11/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3044.)

Question: Shall this Resolution be ADOPTED?

33. 051458 [Public Works Code - landmark trees and penalties for violations]
Supervisor McGoldrick
Ordinance amending the Public Works Code by amending Section 802 to modify various definitions, amending Sections 802, 806, and 809 to redefine nuisance trees as hazard trees; amending Sections 802 and 803 authorizing the Urban Forestry Council to succeed to the powers and duties of the Tree Advisory Board; amending Sections 804, 807, 808, and 810 concerning landmark trees and procedures to designate, nominate, and remove landmark trees; amending Section 811 to create civil penalties and fines and to modify provisions on administrative penalties; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

From the City Operations and Neighborhood Services Committee Without Recommendation

Present: Supervisors McGoldrick, Dufty, Ma

34. 050689 [Public Works Code - significant trees, landmark trees, and penalties for violations]
Supervisor Daly
Ordinance amending the Public Works Code by amending Sections 802, 804, 807, and 808 and adding Section 810A to address removal, maintenance, and nomination of significant trees as defined herein; amending Sections 802, 806, and 809 to redefine nuisance trees as hazard trees; amending Sections 802 and 803 authorizing the Urban Forestry Council to succeed to the powers and duties of the Tree Advisory Board; amending Section 810 to allow the City to landmark any tree within its territorial limits; amending Section 811 to create civil penalties and fines and to modify provisions on administrative penalties; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, McGoldrick

35. 051521 **[Designate 150 Otis Street, the Juvenile Court and Detention Home, as Landmark No. 248]**
Ordinance designating 150 Otis Street, the Juvenile Court and Detention Home, as Landmark No. 248 pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code.
(Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

36. 051397 **[Mission Bay South - Street Vacation of Portions of Fourth Street]**
Resolution declaring the intention of the Board of Supervisors to vacate two (2) portions of Fourth Street within Mission Bay South from Third Street north to Channel Street; setting the hearing date for November 1, 2005 at 3:00 p.m. for all persons interested in the proposed vacation of the street area; adopting findings that the proposed vacation is consistent with the San Francisco General Plan and eight priority policies of San Francisco Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan; and making environmental findings.
(Public Works Department)

Question: Shall this Resolution be ADOPTED?

From the Land Use Committee Without Recommendation

Present: Supervisors Maxwell, McGoldrick

37. 051398 **[Mission Bay South – Ordering Street Vacation of portions of Fourth Street]**
Ordinance ordering the vacation of two (2) portions of Fourth Street from Third Street north to Channel Street; authorizing a grant in fee title of the City and County of San Francisco's rights and interest in the vacated areas to FOCIL; authorizing reservations of certain utility easements in the vacated areas; adopting findings that such vacation of Fourth Street is consistent with the City General Plan and eight policies of City Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan; adopting findings pursuant to the California Environmental Quality Act (CEQA); accepting Department of Public Works Order No. 175,536; and authorizing official acts in connection with this Ordinance.
(Public Works Department)
(To be heard at public hearing on November 1, 2005, at 3:00 p.m.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M

Board of Supervisors Sitting as a Committee of the Whole

38. 051557 **[Hearing - Emergency ordinance reenacting a Disadvantaged Business Enterprise Program]**
Hearing to consider the possible adoption of an Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.
(Clerk of the Board)

Action:_____

Committee of the Whole Adjourn and Report Without Recommendation

39. 051558 **[Reenacting a Disadvantaged Business Enterprise Program]**
Supervisor Ma
Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

Question: Shall this Ordinance be FINALLY PASSED?

SPECIAL ORDER 4:30 P.M.

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

40. 051445 **[Public Hearing - Appeal of Final Environmental Impact Report for 491 Bayshore Boulevard (HOME DEPOT)]**

Hearing of persons interested in or objecting to the Planning Commission's July 28, 2005, certification of a Final Environmental Impact Report identified as Case No. 2001.0062E, through its Motion 17071. The proposed project would involve the demolition of the existing vacant buildings equaling approximately 107,372 square feet and the construction of approximately 140,000 square foot home improvement center (HOME DEPOT) with a separate, attached 235,597 square foot parking garage accommodating 585 parking spaces with an M-1 (Light Industrial) District, a 65-J Height and Bulk District, and the Industrial Protection Zone Special Use District, located at 491 Bayshore Boulevard, Assessor's Block 5598, Lots 8, 9, 11, 13, 15, 16, 18, 21 and 28. (Appellant: Sue C. Hestor, Attorney, on behalf of Cole Hardware).

(Date Filed: 8/11/05; companion measure to Files 051446, 051447, 051448; District 10.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

41. 051446 **[Affirm certification of 491 Bayshore Boulevard (Home Depot) FEIR]**

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 491 Bayshore Boulevard (Home Depot) Project.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

42. 051447 **[Disapprove certification of 491 Bayshore Boulevard (Home Depot) FEIR]**
Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the 491 Bayshore Boulevard (Home Depot) Project.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

43. 051448 **[Preparation of findings to disapprove certification of 491 Bayshore Boulevard (Home Depot) FEIR]**
Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the 491 Bayshore Boulevard (Home Depot) FEIR.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items were considered by the Rules Committee at a Regular Meeting on Wednesday, September 21, 2005 at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, September 27, 2005.

44. 051442 **[Settlement of Lawsuit - Anna Maria Olmedo]**
Ordinance authorizing settlement of the lawsuit filed by Anna Maria Olmedo against the City and County of San Francisco for $62,500; the lawsuit was filed on August 15, 1999 in San Francisco Superior Court, Case No. 314-031.

Question: Shall this Ordinance be PASSED ON FIRST READING?

45. 051540 **[Settlement of Lawsuit - Torfirio Carpenter]**
Ordinance authorizing settlement of the lawsuit filed by Torfirio Carpenter against the City and County of San Francisco for $40,000; the lawsuit was filed on April 21, 2004 in San Francisco Superior Court, Case No. 430-718; entitled Torfirio Carpenter, et al., v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

46. 051541 **[Settlement of Lawsuit - Raymond Nario]**
Ordinance authorizing settlement of the lawsuit filed by Raymond Nario against the City and County of San Francisco for $60,000.00; the lawsuit was filed on October 20, 2003 in United States District Court, Case No. C05-1394 JSW; entitled Raymond Nario, et al., v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

47. 051591 [Appointment - Immigrant Rights Commission]

Resolution appointing Svetlana Kaff, Phu Nguyen and Zina Spektor, terms ending June 6, 2007, to the Immigrant Rights Commission.

Svetlana Kaff, succeeding herself, term expired, seat 7, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2007

Phu Nguyen, succeeding Anthony Eke, term expired, seat 10, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2007.

Zina Spektor, succeeding herself, term expired, seat 11, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2007.

Question: Shall this Resolution be ADOPTED?

48. 051593 [Appointment - Association of Bay Area Governments Executive Board]

Resolution appointing Supervisor Fiona Ma, Supervisor Ross Mirkarimi and Supervisor Chris Daly, terms ending June 30, 2007, to the Association of Bay Area Governments Executive Board.

Supervisor Fiona Ma, succeeding herself, term expired, seat 1, must be a member of the Board of Supervisors, for the unexpired portion of a two-year term ending June 30, 2007.

Supervisor Ross Mirkarimi, succeeding himself, term expired, seat 2, must be a member of the Board of Supervisors, for the unexpired portion of a two-year term ending June 30, 2007.

Supervisor Chris Daly, succeeding Supervisor Mark Leno, term expired, seat 3, must be a member of the Board of Supervisors (ALTERNATE), for the unexpired portion of a two-year term ending June 30, 2007.

Question: Shall this Resolution be ADOPTED?

49. 051602 [Appointment - Food Security Task Force]

Resolution appointing Gina Fromer, Ellen Stroud, Daisy Anarchy and Gail Priestley, terms indefinite, to the Food Security Task Force, residency requirement waived.

Gina Fromer (residency requirement waived), new appointment, seat 1, must be a representative of a community-based organization that provides nutritional support and increases the food security of San Francisco residents, for an indefinite term.

Ellen Stroud, new appointment, seat 2, must be a representative of a community-based organization that provides nutritional support and increases the food security of San Francisco residents, for an indefinite term.

Daisy Anarchy, new appointment, seat 3, must be a representative of a community-based organization that provides nutritional support and increases the food security of San Francisco residents, for an indefinite term.

Gail Priestley (residency requirement waived), new appointment, seat 4, must be a representative of a community-based organization that provides nutritional support and increases the food security of San Francisco residents, for an indefinite term.

Question: Shall this Resolution be ADOPTED?

50. 051594 [Confirming appointment of Hunter Stern to the Municipal Transportation Agency Board of Directors]

Mayor

Resolution confirming the appointment of Hunter Stern to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2009.

Question: Shall this Resolution be ADOPTED?

51. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

52. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

47. 051591 [Appointment - Immigrant Rights Commission]

Resolution appointing Svetlana Kaff, Phu Nguyen and Zina Spektor, terms ending June 6, 2007, to the Immigrant Rights Commission.

Svetlana Kaff, succeeding herself, term expired, seat 7, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2007.

Phu Nguyen, succeeding Anthony Eke, term expired, seat 10, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2007.

Zina Spektor, succeeding herself, term expired, seat 11, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2007.

Question: Shall this Resolution be ADOPTED?

48. 051593 [Appointment - Association of Bay Area Governments Executive Board]

Resolution appointing Supervisor Fiona Ma, Supervisor Ross Mirkarimi and Supervisor Chris Daly, terms ending June 30, 2007, to the Association of Bay Area Governments Executive Board.

Supervisor Fiona Ma, succeeding herself, term expired, seat 1, must be a member of the Board of Supervisors, for the unexpired portion of a two-year term ending June 30, 2007.

Supervisor Ross Mirkarimi, succeeding himself, term expired, seat 2, must be a member of the Board of Supervisors, for the unexpired portion of a two-year term ending June 30, 2007.

Supervisor Chris Daly, succeeding Supervisor Mark Leno, term expired, seat 3, must be a member of the Board of Supervisors (ALTERNATE), for the unexpired portion of a two-year term ending June 30, 2007.

Question: Shall this Resolution be ADOPTED?

49. 051602 **[Appointment - Food Security Task Force]**

Resolution appointing Gina Fromer, Ellen Stroud, Daisy Anarchy and Gail Priestley, terms indefinite, to the Food Security Task Force, residency requirement waived.

Gina Fromer (residency requirement waived), new appointment, seat 1, must be a representative of a community-based organization that provides nutritional support and increases the food security of San Francisco residents, for an indefinite term.

Ellen Stroud, new appointment, seat 2, must be a representative of a community-based organization that provides nutritional support and increases the food security of San Francisco residents, for an indefinite term.

Daisy Anarchy, new appointment, seat 3, must be a representative of a community-based organization that provides nutritional support and increases the food security of San Francisco residents, for an indefinite term.

Gail Priestley (residency requirement waived), new appointment, seat 4, must be a representative of a community-based organization that provides nutritional support and increases the food security of San Francisco residents, for an indefinite term.

Question: Shall this Resolution be ADOPTED?

50. 051594 **[Confirming appointment of Hunter Stern to the Municipal Transportation Agency Board of Directors]**

Mayor

Resolution confirming the appointment of Hunter Stern to the Board of Directors of the Municipal Transportation Agency, term ending March 1, 2009.

Question: Shall this Resolution be ADOPTED?

51. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

52. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 53 through 64

53. 051572 **[SFUSD Labor-Management Dispute]**
Supervisor Ammiano
Resolution urging the San Francisco Board of Education and the San Francisco Unified School District Superintendent, Arlene Ackerman, to seek all avenues available to resolve the current labor and management dispute, including finding a informal or local mediator and utilizing portions of Proposition H, the Public Education Enrichment Fund, to fund salaries for the lowest paid and most vulnerable School District employees.

9/13/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

9/20/2005, CONTINUED. Continued to September 27, 2005

Question: Shall this Resolution be ADOPTED?

54. 051615 **[Housing assistance for people with HIV/AIDS displaced by the Hurricane Katrina]**
Supervisors Ammiano, Dufty
Resolution stating that the City and County of San Francisco will provide housing assistance for the 8,000 people with HIV/AIDS who have been displaced by the Hurricane Katrina disaster in Louisiana and Mississippi.

9/20/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

55. 051616 **[Commending East Bakersfield High School Journalists]**
Supervisor Ammiano
Resolution commending East Bakersfield High School Journalism Department and student journalists for their courage in attempting to publish a series of news articles in their school newspaper on the lives of gay youth and for fighting for their first amendment rights to overturn the prohibition imposed by school administrators to censor publication of the news series.

9/20/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

56. 051617 **[Declaring October 2005 to be "Domestic Violence Awareness Month"]**
Supervisor Ma
Resolution declaring October 2005 to be "Domestic Violence Awareness Month" in the City and County of San Francisco.

9/20/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

57. 051618 [Accept-Expend Gift - San Francisco Public Library]

Supervisor Mirkarimi

Resolution authorizing the Library to accept and expend up to $16 million from the Friends of the San Francisco Public Library for furniture, fixtures, equipment and other costs related to the Branch Library Improvement Program.

9/20/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

58. 051619 [Interim Report on Traffic Flow and Pedestrian Safety on Octavia Boulevard]

Supervisor Mirkarimi

Resolution urging the San Francisco Department of Parking and Traffic to deliver an interim report by October 5, 2005 concerning traffic flow and pedestrian safety on Octavia Boulevard and its adjoining freeway off-ramp.

9/20/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

59. 051620 [Tree Disclosure Statement]

Supervisor McGoldrick

Resolution instructing the Planning Department to require a Tree Disclosure Statement as part of all building permit applications that include exterior work, demolition or grading.

9/20/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

60. 051621 [Zoning - Extension of Planning Commission Review Period - Better Neighborhoods Plan]

Supervisor McGoldrick

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Administrative Code to add Chapter 36 to establish uniform procedures for developing comprehensive neighborhood plans (the "Better Neighborhoods Planning and Implementation Process"); to Administrative Code Section 3.4 to provide for integrated Better Neighborhoods Plan budget documents, and to amend the Planning Code to add Section 312A regarding discretionary review for projects proposed in Better Neighborhoods Plan areas.

9/20/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

61. 051622 [Endorsing Statewide Ballot Measure]

Supervisor Peskin

Resolution endorsing the passage of California State Proposition 79, the "Cheaper Prescription Drugs for California Act", and urging the defeat of California State Proposition 78, sponsored by major pharmaceutical manufacturers.

9/20/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

62. 051623 **[Honoring Michael Lane]**

Supervisors Peskin, Dufty, Maxwell, Alioto-Pier, Elsbernd

Resolution honoring Michael Lane for his many contributions to the City and County of San Francisco and proclaiming October 4, 2005 as Michael Lane Day.

9/20/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

63. 051624 **[Declaring the week of October 2-9 Howl Week in the City and County of San Francisco]**

Supervisor Peskin

Resolution declaring the week of October 2-9 Howl Week in the City and County of San Francisco to commemorate the 50th anniversary of the first reading of Allen Ginsberg's classic American poem about the Beat Generation.

9/20/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

64. 051625 **[Commending the League of California Cities-Latino Caucus]**

Supervisor Sandoval

Resolution commending the League of California Cities-Latino Caucus for its work advocating for and improving the quality of life of Latinos in California and extending congratulations to Los Angeles City Council President Alex Padilla on becoming President of the League of California Cities.

9/20/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

65. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from September 13, 2005 through September 19, 2005, for reference by President to appropriate committee on September 27, 2005.

051554 **[Abolition of Legislated Setback for 301–323 14th Avenue]**
Supervisor McGoldrick
Ordinance amending the San Francisco Planning Code by abolishing the legislated front setback of the southeastern portion of the property located at 301-323 14th Avenue, identified as Assessor's Block No. 1446, Lot No. 054 (formerly Lots 001, 004, 006, 053), as shown on Block Book Map No. 1446 of the City and County of San Francisco, Volume 12; and adopting General Plan, Planning Code Section 101.1(b), and environmental findings.
(Planning Department)

9/12/2005, RECEIVED AND ASSIGNED to Land Use Committee.
9/22/05, Supervisor McGoldrick requests to be added as sponsor.

051583 **[Settlement of Lawsuit - Frederick Meiswinkel, Inc. v. Hunt Construction Group, et. al]**
Ordinance authorizing settlement of the lawsuit filed by Frederick Meiswinkel, Inc. for $1,800,000 against the Hunt Construction Group, Inc. and Hun't cross-complaint against the City and County of San Francisco seeking indemnity from the claims brought by Meiswinkel; the lawsuit was filed on March 2, 2004 in San Francisco Superior Court, Case No. CGC –04-429249; entitled. Frederick Meiswinkel, Inc. v. Hunt Construction Group, et. al; other material terms of said settlement are nonmaterial terms.
(City Attorney)

9/19/2005, RECEIVED AND ASSIGNED to Rules Committee.

051584 **[Settlement of Lawsuit - Kaiser Foundation Hospitals]**
Ordinance authorizing settlement of the lawsuit filed by Kaiser Foundation Hospitals against the City and County of San Francisco for $67,500.00; the lawsuit was filed on May 4, 2005 in San Francisco Superior Court, Case No. 429-909; entitled Kaiser Foundation Hospitals v. City and County of San Francisco.
(City Attorney)

9/19/2005, RECEIVED AND ASSIGNED to Rules Committee.

051590 **[Designating a portion of Lot 1 in Assessor's Block 1700 (Golden Gate Park), the Music Concourse, as a Landmark under Planning Code Article 10]**
Ordinance designating a portion of Lot 1 in Assessor's Block 1700 (Golden Gate Park), the Music Concourse, as Landmark No. 249, pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code.
(Planning Department)

9/13/2005, RECEIVED AND ASSIGNED to Land Use Committee

PROPOSED RESOLUTIONS

Proposed resolutions received from September 13, 2005 through September 19, 2005, for reference by President to appropriate committee on September 27, 2005.

051553 **[Supporting the City's application for Prop 63 Mental Health Funding]**
Resolution supporting the City's application to the State of California for the Mental Health Services Act (MHSA).
(Public Health Department)

9/19/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051581 **[Street Artist Winter Holiday Spaces]**
Resolution approving temporary selling spaces in the Downtown area and at Harvey Milk Plaza for street artists certified by the Arts Commission, City and County of San Francisco, for the winter holiday season, 2005, beginning on November 15, 2005 and ending on January 15, 2006.
(Arts Commission)

9/19/2005, RECEIVED AND ASSIGNED to Land Use Committee.

051595 **[Mission Bay South City Construction and Slope Maintenance, Easement]**
Resolution approving exercise of option to extend an easement agreement for temporary rights to the City to construct improvements, maintain certain slopes for street improvements until such time as those slopes are no longer needed to support the street and authorizing other official actions.
(Public Works Department)

9/15/2005, RECEIVED AND ASSIGNED to Land Use Committee.

051596 **[Contract Amendment for Muni Metro East Light Rail Facility]**
Resolution authorizing the Director of Transportation to execute the Tenth Amendment to San Francisco Municipal Railway Contract No. CS-116, Design and Construction Support Services for Muni Metro East Light Rail Vehicle Maintenance and Operations Facility with Gannett Fleming, Inc. for an amount not to exceed $3,313,629, for a total contract amount not to exceed $12,262,990, and for a contract extension of two and one-half years, for a total contract term of ten years.
(Municipal Transportation Agency)

9/15/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051640 [Petitions and Communications]

Petitions and Communications received from September 13, 2005 through September 19, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on September 27, 2005.

From Law Office of Cassidy, Shimko & Dawson, submitting notice that Home Depot formally agrees that the previously scheduled September 27, 2005 may be continued to October 25, 2005. File 051445, Copy: Each Supervisor, City Attorney (1)

From Law Office of Sue Hestor, submitting copy of letter sent to Anna Shimko, regarding request to continue the public hearing on Home Depot to October 25, 2005. File 051445, Copy: Each Supervisor, City Attorney (2)

From Law Offices of Julian Lastowski, submitting copy of letter sent to Daniel Bornstein, Esq., demanding he withdraw the illegal 60-day notice of termination and the notice in change of terms of tenancy. (3)

From Ben Roberts, urging the Board to publicly support the SEIU workers on strike now at the California Pacific Medical Center. Copy: Each Supervisor (4)

From Mercy Housing California, submitting notice that Community Housing Partnership and Mercy Housing California are jointly applying to the State Department of Housing and Community Development for financing from the Multifamily Housing Program, Supportive Housing Component, for the rehabilitation of the Hotel Essex, located at 684 Ellis Street. (5)

From Immigrant Rights Commission, submitting notice of resolution approved by the Commission regarding support of House Resolution 367 and City of San Francisco resolution condemning bigotry, violence and discrimination against Iranian-Americans. Copy: Supervisor Mirkarimi (6)

From concerned citizens, requesting continuance of File 051474 parking regulations (City Operations and Neighborhood Services Committee) so that the people in that neighborhood can review the proposed regulations. (7)

From Law Office of J. William Yeates, submitting notice of commencement of CEQA action challenging issuance of a Conditional Use Permit and approval of development project to be located at 800 Brotherhood Way. File 051234, Copy: Each Supervisor, City Attorney (8)

From Law Offices of Stephen Williams, appealing the granting of a second categorical exemption by the Planning Department to the project sponsors of 899 North Point Street. File 051223, Copy: Each Supervisor, City Attorney (9)

From Civil Service Commission, responding to the 2004/05 Civil Grand Jury Report, finding #4 and recommendation #6. (10)

From Deputy Clerk of the Board, submitting report on the 2004/05 Civil Grand Jury Report "What is the Difference between a Contract and a Grant?" (11)

From Office of the City Attorney, submitting memorandum regarding the laws and rules restricting use of city resources for political activity by City officers and employees. (12)

From concerned citizens, urging the Board to release the much needed $1.1 million in Proposition H funds for City schools to support athletics and to raise per-pupil spending. (13)

From Double Rock Baptist Church, submitting support for the proposed Home Depot at 491 Bayshore Boulevard. File 051445, Copy: Each Supervisor (14)

From Jilly Mandeson, urging the Board of Supervisors to do what it can to help Susan Cervantes from being evicted from her rented family home of 35 years, located at 398 Precita Avenue, by the new owners of that property (15)

From Office of the Mayor, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (16)

From Taxi Commission, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (17)

From concerned citizens, submitting support for Public Access Television Channel 29 funding. (18)

From Brian Mueller, submitting support for birthing the USS Iowa in San Francisco. (19)

From concerned citizens, submitting opposition to the proposed Home Depot at 491 Bayshore Boulevard. File 051445, Copy: Each Supervisor (20)

From Department of the Environment, submitting the tree disclosure statement and support for community-based permeable landscaping projects. (21)

From Office of the Mayor, submitting response to the 2004-05 Civil Grand Jury Report entitled: "Continuity Report." Copy: Each Supervisor (22)

From Department of Public Health, submitting request for waiver of Chapter 12B of the Administrative Code for Adventist Health/California Specialty Hospital. (23)

From Richard Everett, submitting support for vacation of a portion of Bernal Heights Boulevard west of Moultrie Street for open space use. File 050852, Copy: Each Supervisor (24)

From concerned citizens, submitting opposition to vacation of a portion of Bernal Heights Boulevard west of Moultrie Street for open space use. File 050852, Copy: Each Supervisor (25)

From Eric Brooks, regarding letter he received from lumber industry operative, John Lipka regarding weakening San Francisco's wood products purchasing standards. (26)

From concerned citizens, regarding homeownership in San Francisco. (27)

From Rod Culver, requesting the Board of Supervisors urge the Department of Public Works to stop compressor spraying the sidewalks in the Tenderloin area at 2 AM in the morning. Copy: Supervisor Daly (28)

From San Francisco Superior Court, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (29)

From Civil Service Commission, confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for the department to meet service levels as proposed to the Board. (30)

From Jamie Kauget, regarding True Clothing store posting stickers advertising their brand over the bus schedule at the west-bound corner of Hayes and Masonic. Copy: Supervisor Mirkarimi (31)

From California Public Utilities Commission, submitting notice that Pacific Gas and Electric Company has filed an application for recovery of catastrophic event costs (CEMA). (32)

From Japantown Task Force, Inc., submitting newsletter for summer 2005. (33)

From Department of Building Inspection, submitting notice that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors for the department to meet service levels as proposed to the Board is adequate for the department; however a request for a supplemental appropriation within fiscal year 2005/06 is anticipated to address the Information Technology requirements to make major improvements to the permit tracking systems and to improve the City's overall permit processes and data. (34)

From concerned citizens, urging the Board of Supervisors to enact a Community Choice Energy plan that will bring San Francisco 360 megawatts of renewable energy generation in the next three years. File 051417, Copy: Each Supervisor (35)

From Mesha Monge-Irizarry, regarding the alleged San Francisco Police Department shooting of Tyrell Taylor on Harbor Road on Friday September 10, 2005. (36)

From Richard Best, commenting on the Director's job at the Office of Emergency Services in San Francisco. Copy: Each Supervisor (37)

From Comcast Cable, submitting notice that effective September 28, 2005 Comcast will add Movie Plex to the digital level of service and October 5, 2005 the Sprout channel will be added to the digital level of service. (38)

ADJOURNMENT

BOARD of SUPERVISORS

City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
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Hearing

Notice of Canceled Meeting
Board of Supervisors
October 4, 2005 at 2:00 p.m.

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10/4/05
cancelled

NOTICE IS HEREBY GIVEN that the regularly scheduled meeting of the San Francisco Board of Supervisors for October 4, 2005 has been canceled.

The next regular meeting will be held on Tuesday, October 11, 2005 at 2:00 p.m., in the Legislative Chamber, Second Floor, 1 Dr. Carlton B. Goodlett Place, Room 250, San Francisco.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

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Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, October 11, 2005 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Ammiano, Mirkarimi, Elsbernd	Thursday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Peskin, Elsbernd, Daly	2nd and 4th Monday 1:00 PM
Land Use Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Alioto-Pier, Mirkarimi, Peskin	Wednesday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve the Board Meeting Minutes for September 13, 2005 and September 20, 2005.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 12

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

1. 051440 **[Airport Equipment Maintenance and Operating Agreement]**
Resolution approving Equipment Maintenance and Operating Agreement between San Francisco Terminal Equipment Company, LLC and the City and County of San Francisco, acting through its Airport Commission.
(Airport Commission)

Question: Shall this Resolution be ADOPTED?

2. 051530 [Airport Public Parking Services Proposition]

Resolution approving the Controller's certification that Airport Public Automobile Parking Facilities for San Francisco International Airport can practically be performed by private contractor at a lower cost than if work were performed by city employees at budgeted levels.
(Airport Commission)
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

3. 051531 [Airport Employee Parking Services Proposition J]

Resolution approving the Controller's certification that Airport Employee Parking Facilities for San Francisco International Airport can practically be performed by private contractor at a lower cost than if work were performed by city employees at budgeted levels.
(Airport Commission)
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

4. 051533 [Contract between the Department of Public Health and Accordis, Inc. to provide retroactive claiming of aged accounts services]

Resolution authorizing the Director of Public Health and the Director of the Office of Contract Administration/Purchaser to continue a contract between the City and County of San Francisco and Accordis, Inc. to provide retroactive claiming of aged accounts services for the period of July 1, 2004 through June 30, 2008.
(Public Health Department)
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty

5. 051464 [Traffic Regulations]

Supervisor Ammiano

Resolution enacting and rescinding traffic regulations on various streets

MID-BLOCK CROSSWALK - ESTABLISH
Alabama Street, between 24th and 25th Streets.
(8/15/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Question: Shall this Resolution be ADOPTED?

6. 051546 **[Parking Regulations]**
Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY NO STOPPING ANYTIME – ESTABLISH
Beacon Street, both sides, from the south end of the driveway of 383 Beacon Street to 120 feet southerly.
(8/30/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the stree; DPT Order No. 3056.)

Question: Shall this Resolution be ADOPTED?

7. 051547 **[STOP Intersections]**
Supervisor Elsbernd
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Clement Street and 15th Avenue, stopping Clement Street at 15th Avenue, making this intersection an all-way STOP.
Flood Avenue at Congo Street, installing STOP signs on Flood Avenue at Congo Street, making this intersection an All-Way STOP.
Fairfield Way at Kenwood Way, installing a STOP sign on Fairfield Way at Kenwood Way.
(Parking and Traffic Department)
(8/30/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the stree; DPT Order No. 3056.)

Question: Shall this Resolution be ADOPTED?

8. 051553 **[Supporting the City's application for Prop 63 Mental Health Funding]**
Supervisor Ma
Resolution supporting the City's application to the State of California for the Mental Health Services Act (MHSA).
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

9. 051587 **[Approval of the Substance Abuse and Crime Prevention Act of 2000 - Implementation Plan]**
Resolution authorizing adoption of the San Francisco County Plan for the Substance Abuse and Crime Prevention Act of 2000 for Fiscal Year 2005-2006.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Elsbernd

10. 051540 [Settlement of Lawsuit - Torfirio Carpenter]

Ordinance authorizing settlement of the lawsuit filed by Torfirio Carpenter against the City and County of San Francisco for $40,000; the lawsuit was filed on April 21, 2004 in San Francisco Superior Court, Case No. 430-718; entitled Torfirio Carpenter, et al., v. City and County of San Francisco, et al.
(City Attorney)

9/27/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. 051541 [Settlement of Lawsuit - Raymond Nario]

Ordinance authorizing settlement of the lawsuit filed by Raymond Nario against the City and County of San Francisco for $60,000.00; the lawsuit was filed on October 20, 2003 in United States District Court, Case No. C05-1394 JSW; entitled Raymond Nario, et al., v. City and County of San Francisco, et al.
(City Attorney)

9/27/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

12. 051442 [Settlement of Lawsuit - Anna Maria Olmedo]

Ordinance authorizing settlement of the lawsuit filed by Anna Maria Olmedo against the City and County of San Francisco for $62,500; the lawsuit was filed on August 15, 1999 in San Francisco Superior Court, Case No. 314-031.

9/27/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:*_____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

13. 051378 **[Sale of City Property located at 425 Mason Street, San Francisco]**
Ordinance ordering the sale at public auction of City-owned property located at 425 Mason Street; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the sale is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing other actions in furtherance of this ordinance.
(Real Estate Department)
(Fiscal impact.)

9/20/2005, CONTINUED. Continued to October 11, 2005
Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors: McGoldrick, Dufty, Ma

14. 051458 **[Public Works Code - landmark trees and penalties for violations]**
Supervisor McGoldrick
Ordinance amending the Public Works Code by amending Section 802 to modify various definitions; amending Sections 802, 806, and 809 to redefine nuisance trees as hazard trees; amending Sections 802 and 803 authorizing the Urban Forestry Council to succeed to the powers and duties of the Tree Advisory Board; amending Sections 804, 807, 808, and 810 concerning landmark trees and procedures to designate, nominate, and remove landmark trees; amending Section 811 to create civil penalties and fines and to modify provisions on administrative penalties; and making environmental findings.

9/27/2005, CONTINUED. Continued to October 11, 2005
Question: Shall this Ordinance be PASSED ON FIRST READING?

From the City Operations and Neighborhood Services Committee with Recommendation "Do Not Pass"

Present: Supervisors: McGoldrick, Dufty, Ma

15. 050689 [Public Works Code - significant trees, landmark trees, and penalties for violations]
Supervisor Daly

Ordinance amending the Public Works Code by amending Sections 802, 804, 807, and 808 and adding Section 810A to address removal, maintenance, and nomination of significant trees as defined herein; amending Sections 802, 806, and 809 to redefine nuisance trees as hazard trees; amending Sections 802 and 803 authorizing the Urban Forestry Council to succeed to the powers and duties of the Tree Advisory Board; amending Section 810 to allow the City to landmark any tree within its territorial limits; amending Section 811 to create civil penalties and fines and to modify provisions on administrative penalties; and making environmental findings.

9/27/2005, CONTINUED. Continued to October 11, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

16. 050922 **[Payroll Expense Tax Exclusion for qualified clean energy technology businesses]**
Supervisors McGoldrick, Alioto-Pier, Mirkarimi, Elsbernd
Ordinance amending the Payroll Expense Tax Ordinance to establish a tax exclusion for qualified clean energy technology businesses, as specified.

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. 051512 **[Amendment to Budget Analyst contract to exercise two year option]**
Supervisor Peskin
Motion approving exercising the first option set forth in the agreement for Professional Budget Analyst Services between the City and County of San Francisco and Stanton W. Jones and Associates; Debra A. Newman; Rodriguez, Perez, Delgado & Company Certified Public Accountants; Harvey M. Rose Accountancy Corporation Certified Public Accountants; and Louie & Wong LLP Certified Public Accountants ("A Joint Venture") to extend the term of the Agreement from January 1, 2006 through December 31, 2007.
(Fiscal impact.)

Question: Shall this Motion be APPROVED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors: Supervisors McGoldrick, Dufty

18. 050253 **[Proposition 65 Ordinance - Safe Drinking Water and Toxic Enforcement Act of 1986]**
Supervisor Mirkarimi
Ordinance amending the San Francisco Health Code by adding Section 456.6, to require the Department of Public Health to Enforce the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65) and its implementing regulations with respect to foods which are subject to a state or federal safety advisory where said advisory is regarding a substance included on the Proposition 65 list issued by the State of California Environmental Protection Agency and to require certain food establishments to provide Proposition 65 warnings in English, Spanish, and Chinese.

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 051382 [Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) - include Entertainment Commission and Emergency Medical Services in review process]

Supervisor Daly

Ordinance amending San Francisco Traffic Code Section 800 to include the Entertainment Commission as part of the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT); amending Section 801 to require emergency medical services plans for "major events" and the inclusion of the Director of Emergency Medical Services and Emergency Operations Section (EMSEO) in approval process for major event applications; amending Section 802 to expand definition of "major events" to include street fairs; amending Section 804 to require Clerk of the Board of Supervisors to transmit copies of any legislation approving a temporary street closing for major events to the Director of EMSEO; amending Section 806 to include the Executive Director of the Entertainment Commission in the review process of applications for temporary use of streets for street fairs; amending San Francisco Administrative Code Section 90.4 to require permit applicants for major events to submit an emergency medical services plan to the Entertainment Commission for consideration in the approval of permit applications for major events.

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 051505 [Traffic Regulations]

Supervisor Dufty

Resolution enacting and rescinding traffic regulations on various streets

BICYCLE LANES - ESTABLISH (6-month trial)
Fourteenth Street, eastbound, from Market Street to Dolores Street.

ONE WAY STREET – ESTABLISH (6-month trial)
Fourteenth Street, from Market Street to Dolores Street (two-way to eastbound only).
(Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Daly

21. 051522 [To de-appropriate current capital project appropriations to reflect updated sources and uses of capital project funding]

Mayor

Ordinance de-appropriating $287,977,266 of existing sources and uses authority for various San Francisco International Airport (SFIA) capital project funding to reflect actual sources of funding available to support the Five-Year Capital Plan, Fiscal Year 2004-05 through Fiscal Year 2008-09. (Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

22. 051529 **[To appropriate capital project funding to reflect updated sources and uses appropriation consistent with the priorities outlined in the San Francisco International Airport's Five-Year Capital Plan]**

Mayor

Ordinance appropriating $243,723,524 in total sources and uses, including the de-appropriation of $125,321,506 in current project funding to use this source for appropriation, as well as appropriating an additional $26,055,079 of available Airport fund balance, $59,588,300 of grant authorization to accept and expend funds from the Federal Aviation Administration for projects related to security, runway and taxiway construction and improvements, $23,182,388 of grant authorization to accept and expend funds from the California Department of Transportation (Caltrans) for viaduct construction, and $9,576,251 in interest income. These various sources and uses are herein appropriated for various San Francisco International Airport (SFIA) capital projects as detailed below to reflect the updated San Francisco International Airport Five-Year Capital Plan, Fiscal Year 2004-05 through Fiscal Year 2008-09. Of the $243,723,524 appropriated, $24,970,000 for the Westfield Cargo Redevelopment project is herein placed on reserve.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

23. **051248** **[Sacramento Street Neighborhood Commercial District – Allowing residential conversion on second and third stories with a conditional use permit]**

Supervisor Alioto-Pier

Ordinance amending Section 724.1 of the Planning Code to allow, as a conditional use, for conversion of upper floor residential units in the Sacramento Street Neighborhood Commercial District as a conditional use, where: the new use will be an Other Institution, Large, Educational Services use, only one dwelling unit in building will be converted and that unit is the only non-residential use in the building, and no legally residing tenant will be displaced; and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. **051554** **[Abolition of legislated setback for 301–323 14th Avenue]**

Supervisor McGoldrick

Ordinance amending the San Francisco Planning Code by abolishing the legislated front setback of the southeastern portion of the property located at 301-323 14th Avenue, identified as Assessor's Block No. 1446, Lot No. 054 (formerly Lots 001, 004, 006, 053), as shown on Block Book Map No. 1446 of the City and County of San Francisco, Volume 12; and adopting General Plan, Planning Code Section 101.1(b), and environmental findings.
(Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES
Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

25. 051222 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 899 North Point Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 22, 2005, exempting from environmental review under Categorical Exemption, State CEQA Guidelines Sections 15303(b) and General Rule Exclusion, under CEQA Guidelines Section 15061(b)(3). The proposed project would involve the demolition of a vacant gas station building, approximately 1,650 square feet in size, and construction of a four-story, five-unit residential building. The proposed project would provide seven off-street parking spaces on the ground floor. Entrance and access to the residential units would be from Larkin Street and vehicular entrance and access would be from North Point Street. The project site at 899 North Point Street (Assessor's Block 0026, Lot 020) is approximately 5,469 square feet in size and located on the southeastern corner of North Point and Larkin Streets in the Russian Hill neighborhood on the block bounded by Larkin, North Point, Hyde and Bay Streets. The project site is zoned RH-3 (Residential, House, Three-Family) and is within a 40-X height and bulk district. The project site is also located in the Waterfront Special Use District No. 2, per Section 240.2 of the San Francisco Planning Code. (Appellant: Stephen M. Williams.)

(Filed June 17, 2005; companion measure to Files 051223, 051224, 051225; District 2.)

7/26/2005, CONTINUED. Continued to August 9, 2005

8/9/2005, CONTINUED. Continued to September 20, 2005

9/20/2005, CONTINUED. Continued to October 11, 2005

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

26. 051223 [Affirming the categorical exemption issued for 899 North Point Street]

Motion affirming the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/26/2005, CONTINUED. Continued to August 9, 2005
8/9/2005, CONTINUED. Continued to September 20, 2005
9/20/2005, CONTINUED. Continued to October 11, 2005

Question: Shall this Motion be APPROVED?

27. 051224 [Disapproving the categorical exemption issued for 899 North Point Street]

Motion disapproving the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/26/2005, CONTINUED. Continued to August 9, 2005
8/9/2005, CONTINUED. Continued to September 20, 2005
9/20/2005, CONTINUED. Continued to October 11, 2005

Question: Shall this Motion be APPROVED?

28. 051225 [Preparation of findings related to the categorical exemption issued for 899 North Point Street]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/26/2005, CONTINUED. Continued to August 9, 2005
8/9/2005, CONTINUED. Continued to September 20, 2005
9/20/2005, CONTINUED. Continued to October 11, 2005

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

29. 051542 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review (Variance Decision) for 2642 and 2644 Hyde Street]**

Hearing of persons interested in or objecting to the variance decision of the Planning Department dated July 13, 2005 (Case No. 2004.1312V), exempting from environmental review the proposal to rebuild an existing second-floor balcony within the required rear yard of the existing two-family structure that was originally constructed without a permit. The balcony would be approximately 12 feet wide, 3 feet deep, and set back from each side property line by approximately 5 feet. The balcony would be cantilevered over the rear yard.

The project is located at 2642 and 2644 Hyde Street, east side between Bay and North Point Streets; Lot 017 in Assessor's Block 0027 in an RH-3 (House, Three-Family) District and 40-X Height and Bulk District. (Appellant: Stephen M. Williams.)

(Filed 8/31/05; companion measure to Files 051543, 051544, 051545; District 2.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review (variance decision) described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

30. 051543 **[Affirming the categorical exemption issued for 2642-2644 Hyde Street]**

Motion affirming the determination by the Planning Department that the 2642-2644 Hyde Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

31. 051544 **[Disapproving the categorical exemption issued for 2642-2644 Hyde Street]**

Motion disapproving the determination by the Planning Department that the 2642-2644 Hyde Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

32. 051545 **[Preparation of findings related to the categorical exemption issued for 2642-2644 Hyde Street]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 2642-2644 Hyde Street Project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

33. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

34. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 35 through 43

35. 051632 **[Walk to School Day]**
Supervisor Ma
Resolution declaring October 5, 2005 as "Walk Our Children to School Day" in the City and County of San Francisco.

9/27/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

36. 051634 **[Microenterprise Development Month]**
Supervisor Ma
Resolution declaring October 2005 as "Microenterprise Development Month" in the City and County of San Francisco.

9/27/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

051586 **[Settlement of Lawsuit - Microsoft Corporation, et al.]**
Ordinance authorizing settlement of the class-action lawsuit filed by the City and County of San Francisco against Microsoft Corporation for $1,000,000; the lawsuit was filed on August 27, 2004 in San Francisco Superior Court; entitled City and County of San Francisco, et al., v. Microsoft Corporation, et al.; Microsoft removed the action to federal court and then transferred the action to the United States District Court for the District of Maryland.
(City Attorney)

9/20/2005, RECEIVED AND ASSIGNED to Rules Committee.

051598 **[Settlement of Lawsuit - King C. Electric, Inc.]**
Ordinance authorizing settlement of the lawsuit filed by King C. Electric, Inc. against the City and County of San Francisco according to the following terms: a) King C. Electric, Inc. ("KCE") pays one hundred nine thousand one hundred eighty-five dollars and ninety-three cents ($109,185.93) to the City; b) the City pays seventy-eight thousand nine hundred eighty-three dollars and twenty-one cents ($78,983.21) to KCE; and c) KCE is debarred from performing construction contracts on City-owned projects for two and a half years. The lawsuit was filed on April 14, 2004 in the Superior Court of the City and County of San Francisco, Case No. CGC-o4-430671; entitled King C. Electric, Inc. v. City and County of San Francisco et al. and related cross-action.
(City Attorney)

9/23/2005, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from September 20, 2005 through October 3, 2005, for reference by President to appropriate committee on October 11, 2005.

051585 **[Acceptance of Subsurface Easement at 2-4 Winfield Street]**
Resolution authorizing the acceptance of a permanent subsurface easement at 2-4 Winfield Street, Assessor's Block 5661, Lot 001 for tie-back rods connected to a City-constructed retaining wall.
(Real Estate Department)

9/22/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051587 **[Approval of the Substance Abuse and Crime Prevention Act of 2000 - Implementation Plan]**
Resolution authorizing adoption of the San Francisco County Plan for the Substance Abuse and Crime Prevention Act of 2000 for Fiscal Year 2005-2006.
(Public Health Department)

9/20/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Department requests this item be considered at the October 3, 2005 meeting.

051589 **[Traffic Regulations]**
Resolution enacting and rescinding traffic regulations on various streets.

RIGHT TURN ONLY - RESCIND
RIGHT TURN ONLY ONTO SAN JOSE AVENUE - ESTABLISH
Brook Street, westbound, at San Jose Avenue

NO TURN ON RED - ESTABLISH
Sacramento Street, westbound at Stockton Street; and,
Stockton Street, southbound, at Sacramento Street (to facilitate the installation of pedestrian scramble).

ONE-WAY STREET (NORTHBOUND) - RESCIND
ONE-WAY STREET (SOUTHBOUND) - ESTABLISH
Ritch Street, between Brannan and Bryant Streets (200 block).
(Parking and Traffic Department)

9/23/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051597 **[Parking Regulations]**
Resolution enacting and rescinding parking regulations at various locations.

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Alameda Street, both sides, between Potrero Avenue and Utah Street; and,
Utah Street, west side, between Alameda and 15th Streets.

2-HOUR PARKING, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH
Marin Street, both sides, from Evans Avenue easterly to the terminus.

RESIDENTIAL PERMIT PARKING AREA "U" (2-HOUR TIME LIMIT, 8 AM – 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Langton Street, both sides, from Bryant Street to 272 feet southerly (the end of the public right-of-way (300 block)).

SIDEWALK WIDTH - REDUCE
PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Ingerson Avenue, south side, from 40 feet to 100 feet east of 3rd Street (sidewalk would be reduced from being 25 feet to 15 feet wide).

DIAGONAL (45-DEGREE ANGLE) PARKING - ESTABLISH
Brannan Street, northeast side, from approximately 103 feet east of Colin P. Kelly, Jr. Street to approximately 36 feet west of Delancey Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Folsom Street, north side, from 1st Street to 140 feet westerly.
(Parking and Traffic Department)

9/23/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051599 **[Official Advertising - Type 1 for Consecutive Day Publication and Type 2 for Non-Consecutive Day Publication]**
Resolution designating the San Francisco Chronicle and Examiner to be the official newspapers of the City and County of San Francisco for the category of Type 1consecutive day, and Type 2 non consecutive day official advertising services for the fiscal year commencing upon Board of Supervisors and Mayoral approval and ending June 30, 2006.
(Office of Contract Administration)

9/23/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051603 **[Port of San Francisco – Proposed Piers 27-31 Mixed Use Recreation Project Fiscal Feasibility]**
Resolution adopting findings that the proposed Piers 27-31 Mixed Use Recreation Project is fiscally feasible and responsible under Administrative Code Chapter 29.
(Port)

10/3/2005, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

051660 **[Settlement of Claim - Louis Vuitton, Inc.]**
Resolution approving the settlement of the unlitigated claim filed by Louis Vuitton, Inc., against City and County of San Francisco for $93,000.00.
(City Attorney)

10/3/2005, RECEIVED AND ASSIGNED to Rules Committee.

051661 **[Settlement of Lawsuit - Walter Reed]**
Ordinance authorizing the settlement of a lawsuit filed by Walter Reed against the City and County of San Francisco for $36,000.00; the lawsuit was filed on December 15, 2003, in San Francisco Superior Court, Case No. 414322, entitled Walter Reed v. City and County of San Francisco, et al.
(City Attorney)

10/3/2005, RECEIVED AND ASSIGNED to Rules Committee.

051710 **[Petitions and Communications (Part 1)]**

Petitions and Communications received from September 20, 2005 through October 3, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on October 11, 2005. Part 1

From Janet Winderl, urging the Board to take action to insure that the new Laguna Honda Hospital will be for seniors and disabled residents. (1)

From Stephen Williams, requesting appeal of Categorical Exemption for project at 899 North Point Street be continued to October 11, 2005. (2)

From Department of Public Health, submitting fiscal year 2004-05 annual report of gifts received by the Department of Public Health. (3)

From SF Environment, submitting regulation adopting Public Participation Guidelines for Implementation of Precautionary Purchasing Ordinance, effective September 20, 2005. (4)

From Office of the Mayor, regarding the upcoming sale of San Francisco's Finance Corporation Lease Revenue Bonds, Series 2005A. Copy: Budget Analyst (5)

From Michael Dabit, submitting request for transfer of a type 21 liquor license from 627 Vallejo Street to 2222 Polk Street for the Polk and Green Produce Market. (6)

From Department of Elections, submitting press release regarding the November 8, 2005 Consolidated Special Statewide Election. Copy: Each Supervisor (7)

From Clerk of the Board, submitting the 2005-06 Board of Supervisors/Clerk of the Board Efficiency Plan. Copy: Each Supervisor (8)

From James Chaffee, regarding the Public Library's Friends and Foundation implementation plan for a new fundraising initiative. Copy: Each Supervisor (9)

From Planning Commission, submitting notice that on September 15, 2005 the Commission adopted Resolutions 17103, 17104, and 17105 adopting Supervisor Mirkarimi's proposed ordinance that creates a regulatory framework to guide the location and operation of medical cannabis dispensaries in San Francisco with modifications. (10)

From Planning Commission, submitting notice that proposed ordinance regarding Sacramento Street Neighborhood Commercial District Upper Floor Educational Service Use (File 051248) is exempt from CEQA under the General Rule Exclusion. (11)

From San Francisco 49ers, thanking the Board for their thoughtful appreciation of Thomas Herrion and his family. (12)

From Kevin Alves, regarding the techniques and treatment used by the Methamphetamine Task Force. (13)

From Public Utilities Commission, responding to inquiry about the PUC's watershed environmental policy. (Reference No. 20050712-001) Copy: Supervisor Daly (14)

From Office of the Controller, submitting report concerning the audit of the San Francisco International Airport. (15)

From Department of Parking and Traffic, regarding additional weekend enforcement for Residential Permit Parking Area "R". (Reference 20050816-002) Copy: Supervisor Mirkarimi (16)

From Department of Parking and Traffic, concerning crosswalk visibility at Alemany Boulevard and Sagamore Street. (Reference No. 20050712-006) Copy: Supervisor Sandoval (17)

From David Lawless, regarding alleged unfair Rent Board policies. (18)

From concerned citizens, submitting support for opening a Home Depot Store on Bayshore Boulevard. File 051445, Copy: Each Supervisor (19)

From concerned citizens, requesting continuance of File 051474 parking regulations (City Operations and Neighborhood Services Committee) so that the constituents in that neighborhood can review the proposed regulations. (20)

From concerned citizens, submitting support for proposed legislation regarding significant trees, landmark trees and penalties for violations. File 050689, Copy: Each Supervisor (21)

From concerned citizens, submitting support for proposed legislation entitled: the "Better Neighborhoods Planning and Implementation Process" currently in the Land Use Committee. File 050601 (22)

From concerned citizens, submitting support for the nomination of Hunter Stern to the Municipal Transportation Agency's Board of Directors. (23)

From Florence Fung, submitting copy of letter sent to the Department of Public Works requesting property line identification and survey reports for the West Portal Public Library Project, oreign object removal at/near property line and for dirt replacement, barrier installation at property line. (24)

From J. Angelo Chaddad, concerning the beeping device on the "walk/don't walk" traffic poles recently installed at 8th and Market Streets. Copy: Supervisor Daly (25)

From Morrison and Foerster LLP, concerning verified claim for refunds of property taxes. Copy: Assessment Appeals Board (26)

From Fair Districts Now, submitting support for the "Voter Empowerment Act" the redistricting initiative. (27)

From Miraloma Park Improvement Club, submitting support for proposal to place a 3-way stop sign on the corner of Stillings and Teresita Boulevard. File 051486, Copy: City Operations Committee members (28)

From Office of the Controller, requesting the Budget and Finance Committee consider releasing the reserve of 75 percent of West Bay's fiscal year 2005-06 funding. (29)

From Law Offices of Bonstein & Bornstein, submitting copy of letter sent to Julian Lastowski, Esq. regarding his client who continues to pay his rent late. (30)

From Citizens General Obligation Bond Oversight Committee, submitting copy of letter sent to President of the SF Unified School District Board of Education requesting that the Board of Education stop issuing bonds and undertaking new projects until it is able to accurately account for and report its bond activity. (31)

From Deputy Clerk of the Board, submitting notice that the Government Audits and Oversight Committee conducted a public hearing to discuss the findings and recommendations of the Civil Grand Jury and the Human Rights Commission's response to "City Contracting and Affirmative Action" on September 26, 2005. (32)

From Bill B., urging the Board of Supervisors to pass legislation that would fine individuals that have excessive noise coming from their car and/or home stereos "boom" cars and "boom" houses in the Excelsior District. Copy: Each Supervisor (33)

From Eric Bergman, urging the Board of Supervisors to do what it can to help Susan Cervantes from being evicted from her rented family home of 35 years, located at 398 Precita Avenue, by the new owners of that property. (34)

From PJ Dayacamos, urging the Board to put a cap on the amount of restaurants and bars in Hayes Valley and adopt zoning legislation to accommodate the residents need for more residential services. Copy: Supervisor Mirkarimi (35)

From Scott Kockos, urging the Board of Supervisors to stop the CPMC Strike and/or prevent Supervisor Daly and other Supervisors from participating in these rallies. (36)

From Thomas Pietrowsky, commenting that the Board's decision not to station the USS Iowa in San Francisco is disrespectful to all of those soldiers who gave their lives for this country. (37)

From SF AIDS Foundation, urging Congress to approve Medicaid legislation to assist people with HIV and AIDS impacted by Hurricane Katrina. Copy: Each Supervisor (38)

From Department of Parking and Traffic, regarding the feasibility of installing traffic signals at the intersection of Divisadero and Ellis Streets. (Reference No. 20050726-001) Copy: Supervisor Mirkarimi (39)

From Department of Parking and Traffic, regarding the feasibility of installing traffic signals at the intersection of Divisadero and California Streets. (Reference No. 20050816-004) Copy: Supervisor Mirkarimi (40)

From Municipal Transportation Agency, submitting report on the traffic signal timing at Geary Boulevard and Laguna Street, and what the Department of Parking and Traffic intends to do to improve safety at this location. (Reference No. 20050802-001) Copy: Supervisor Mirkarimi (41)

From Department of Parking and Traffic, concerning review of faded crosswalks at the intersection of Oak Street and Masonic Avenue. (Reference No. 20050913-004) Copy: Supervisor Mirkarimi (42)

From Department of Parking and Traffic, regarding the feasibility of installing traffic signals at the intersection of Baker and Turk Streets. (Reference No. 20050726-004) Copy: Supervisor Mirkarimi (43)

From concerned citizens, submitting opposition to proposed legislation that would eliminate the felony conviction disclosure requirement for prospective City employees. File 051698, Copy: Each Supervisor (44)

From Taxi Commission, submitting notice that the Taxi Commission unanimously approved a motion urging increasing the rate of taxi fare (as set in Police Code Section 1135) either through an advertised surcharge (add-on similar to the $2.00 add-on taxi drivers may charge airport customers) or through the meter by an amount necessary to compensate for the high cost of gas. (45)

From Residential Rent Stabilization and Arbitration Board, submitting the annual statistical report for fiscal year 2004-05. Copy: Each Supervisor (46)

From SF Neighborhood Antenna-Free Union, submitting opposition to the SF TechConnect wireless fidelity broadband initiative. (47)

From the Port, submitting the Fiscal Responsibility and Feasibility Report for Piers 27-31 Mixed Use Recreation Project. Copy: Each Supervisor (48)

From Public Utilities Commission, submitting request for waiver of Administrative Code Chapters 12B and 12C for Chevron Texaco. (49)

From Department of Public Works, reporting that the graffiti along the walls of Koshland Park was removed by the Department of Recreation and Park's Paint Shop last week. (Reference No. 20050906-001) Copy: Supervisor Mirkarimi (50)

051711 **[Petitions and Communications (Part 2)]**

Petitions and Communications received from September 20, 2005 through October 3, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on October 11, 2005. (Part 2)

From Department of Public Works, reporting that the graffiti on the signal box at the northeast corner of the intersection of Sutter and Gough Streets was removed. (Reference No. 200509 13-002) Copy: Supervisor Mirkarimi (51)

From Department of Public Works, reporting that the pothole at Linden and Buchanan Streets, behind the Hayes Valley Playground has been repaired. (Reference No. 20050802-002) Copy: Supervisor Mirkarimi (52)

From Department of Public Works, reporting that the large crack and raised area of the street at 739 Cole Street has been repaired. (Reference No. 20050906-009) Copy: Supervisor Mirkarimi (53)

From Office of the Controller, submitting notice that all departments have submitted budget certification letters (with the exception of the Assessor & Recorder and the Department of Elections) confirming that funding provided in the budget for fiscal year 2005-06 as adopted by the Board of Supervisors is adequate for their department to meet service levels as proposed to the Board. (54)

From Public Library, submitting the Branch Library Improvement Program Highlights for the summer of 2005. (55)

From the Risk Management Program, submitting the indemnification quarterly report for April through June 2005. (56)

From Daniel Kanights, concerning the Department of Parking and Traffic's ruling on two citations. (57)

From State Department of Veterans Affairs, submitting the legislative update for 2005. (58)

From concerned citizens, submitting support for keeping the offices and services of the West Bay Pilipino Multi-Service Center open and available to Filipino-Americans. (59)

From Director, Disaster Services, American Red Cross, regarding investigation of the September 15, 2005 fire at 359 Capp Street. (Reference No. 20050920-017) Copy: Supervisor Ammiano (60)

From Kenyon Potte, suggesting retrofitting as an alternative to replacement of SF fire hydrants would provide the same inter-operability of SF fire hydrants and equipment from other municipalities, which would respond in emergencies and provide mutual aid at a much lower cost. Copy: Each Supervisor (61)

From concerned citizens, submitting support for proposed legislation that would require food establishments selling fresh and canned fish to provide Proposition 65 warning labels in English, Spanish and Chinese. File 050253 (62)

From Recreation and Park Department, regarding repair of the restroom and port-a-let in the Panhandle near the Children's Playground (Ashbury/Oak/Fell Streets). (Reference No. 20050809-001) Copy: Supervisor Mirkarimi (63)

From Department of Building Inspection, concerning the safety record of the apartment building at 359 Capp Street. (Reference No. 20050920-013) Copy: Supervisor Ammiano (64)

From Urban Forest Council, submitting the Urban Forest Annual Report for 2005. (65)

From Redevelopment Agency, submitting the San Francisco Redevelopment Agency Draft Public Records Policy, dated September 21, 2005. File 051299 (66)

From Department of Human Resources, submitting report regarding the classification audit process for the Management Classification and Compensation Plan Quarterly Report. Copy: Each Supervisor (67)

From Office of the Controller, submitting reports concerning six recently completed Port concession audits. (68)

From Office of the Clerk of the Board, submitting the revised 2005-06 Board of Supervisors/Clerk of the Board Efficiency Plan. (69)

From Residential Rent Stabilization and Arbitration Board, submitting the department's efficiency plan for 2005-06. (70)

From Department of Elections, submitting press release regarding early voting for the November 8, 2005 Consolidated Special Statewide Election beginning October 11, 2005. Copy: Each Supervisor (71)

From James Chaffee, suggesting that the gift to the Public Library for $16 million dollars should have been sent to committee for a public hearing. File 051618, Copy: Each Supervisor (72)

From concerned citizens, submitting opposition to vacation of a portion of Bernal Heights Boulevard west of Moultrie Street for open space use. File 050852, Copy: Each Supervisor (73)

From Katrina King, notifying the County Clerk's Office that Cab College at 1095 Market Street is not registered, licensed or recognized in anyway by the California Department of Education. (74)

From Nick Feldman, offering to write a proposal for the City and County of San Francisco to have an on call disability assistance program to assist those with physical disabilities in activities of daily living. Copy: Each Supervisor (75)

From concerned citizens, regarding home ownership in San Francisco. (76)

From T. E. Houston, commenting on proposed legislation for mandatory spay/neutering of pit bulls. File 051607 (77)

From Mara & Richard Recker, submitting opposition to resolution commending George Galloway. File 051612, Copy: Each Supervisor (78)

From Department of Public Health, submitting press release confirming the City's second case of West Nile Virus. (79)

From Department of Parking and Traffic, concerning repainting of faded stop lines at the intersection of Ashbury and Grove Streets. (Reference No. 20050913-001) Copy: Supervisor Mirkarimi (80)

From concerned citizens, submitting opposition to proposed opening of a Home Depot Store on Bayshore Boulevard. File 051445, Copy: Each Supervisor (81)

From concerned citizens, urging the Board of Supervisors to release the much needed $1.1 million in Proposition H funds to the City schools to support athletics and to raise per-pupil spending. (82)

From concerned citizens, regarding Supervisor Daly alleging accusing Pat Murphy, the founder of the San Francisco Sentinel, of running an online political action committee. (83)

From Denise D'Anne, suggesting city employees pay for parking on city owned or leased property. Copy: Each Supervisor (84)

Number not used. (85)

From concerned citizens, submitting support for adopting Supervisor Mirkarimi's proposed ordinance that creates a regulatory framework to guide the location and operation of medical cannabis dispensaries in San Francisco with modifications. (86)

From concerned citizens, urging the Board of Supervisors to enact a Community Choice Energy plan that will bring San Francisco 360 megawatts of renewable energy generation in the next three years. File 051417, Copy: Each Supervisor (87)

From Planning Department, submitting report regarding Commerce and Industry Inventory for 2003, 2004 and 2005. (88)

From Youth Commission, submitting annual report for fiscal year 2004-05. (89)

From Office of the Controller, submitting report summarizing the findings and recommendations of the reports issued by the Civil Grand Jury, the responses to those recommendations by the various city departments when the reports were initially issued, and the current status of the implementation of those recommendations. (90)

From Redevelopment Agency, submitting the South of Market Redevelopment Plan Amendment, Volumes 1 and 2. (91)

ADJOURNMENT

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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City and County of San Francisco
NOTICE OF PUBLIC HEARING
Board of Supervisors

General Notice — Transmitted 10-04-05

A public hearing will be held 10/18/05 at 4:00 PM or as soon as possible after this time, at Legislative Chamber, Rm 250, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

The Board of Supervisors will hold a public hearing relative to the listed subjects. All interested parties are cordially invited to attend. Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.

Mail comments for the Listed Files to: Board of Supervisors, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

051627 Public Hearing - Appeal of Categorical Exemption for 1070 Sanchez Street

Hearing of persons interested in or objecting to the decision of the Planning Department dated March 28, 2005 (Case No. 2004.0810E), exempting from environmental review the proposal to demolish an existing, two-story, single-family structure, and construct in its place a four-story, two unit building. The existing building is about 29-feet-tall and contains approximately 950 gross square feet (gsf), with two bedrooms, and two independently accessible parking spaces. The new building would be about 40 feet tall, four-stories, about 4,934, gsf of space, containing two dwelling units (with three bedrooms each), and two, independently accessible parking spaces. The net change in gross square footage for the site would be an increase of about 3,984 gsf; there would be no net change in number of parking spaces. According to the project sponsor, there is a 9-inch diameter camellia, a 23-inch hemlock and an unidentified 33-inch tree on site. The camellia and hemlock would be removed and the 33-inch tree would remain with the project. According to the Historical Resource Evaluation Report, the structure was likely constructed in 1887, as the water records show a hookup date of August 26, 1887. The building is not included in any survey or inventory, and has been determined not to be an historical resource under CEQA.

The approximately 2,539 sq. ft. project site is located at 1070 Sanchez Street, west side of Sanchez Street, between Elizabeth Street and 24th Street, in the Noe Valley neighborhood of San Francisco; Lot 3 in Assessor's Block 3654 in an RH-3 (House, Three-Family) District and 40-X Height and Bulk District. (Appellant: Tracey Hughes)

Gloria L. Young, Clerk of the Board

NOTE:
Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.
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Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, October 18, 2005 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Ammiano, Mirkarimi, Elsbernd	Thursday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Peskin, Elsbernd, Daly	2nd and 4th Monday 1:00 PM
Land Use Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Alioto-Pier, Mirkarimi, Peskin	Wednesday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 13

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty

1. 051382 **[Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) - include Entertainment Commission and Emergency Medical Services in review process]**
Supervisor Daly
Ordinance amending San Francisco Traffic Code Section 800 to include the Entertainment Commission as part of the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT); amending Section 801 to require emergency medical services plans for "major events" and the inclusion of the Director of Emergency Medical Services and Emergency Operations Section (EMSEO) in approval process for major event applications; amending Section 802 to expand definition of "major events" to include street fairs; amending Section 804 to require Clerk of the Board of Supervisors to transmit copies of any legislation approving a temporary street closing for major events to the Director of EMSEO; amending Section 806 to include the Executive Director of the Entertainment Commission in the review process of applications for temporary use of streets for street fairs; amending San Francisco Administrative Code Section 90.4 to require permit applicants for major events to submit an emergency medical services plan to the Entertainment Commission for consideration in the approval of permit applications for major events.

10/11/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Daly

2. 051522 **[To de-appropriate current capital project appropriations to reflect updated sources and uses of capital project funding]**

Mayor

Ordinance de-appropriating $287,977,266 of existing sources and uses authority for various San Francisco International Airport (SFIA) capital project funding to reflect actual sources of funding available to support the Five-Year Capital Plan, Fiscal Year 2004-05 through Fiscal Year 2008-09. (Fiscal impact.)

10/11/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 051529 **[To appropriate capital project funding to reflect updated sources and uses appropriation consistent with the priorities outlined in the San Francisco International Airport's Five-Year Capital Plan]**

Mayor

Ordinance appropriating $243,723,524 in total sources and uses, including the de-appropriation of $125,321,506 in current project funding to use this source for appropriation, as well as appropriating an additional $26,055,079 of available Airport fund balance, $59,588,300 of grant authorization to accept and expend funds from the Federal Aviation Administration for projects related to security, runway and taxiway construction and improvements, $23,182,388 of grant authorization to accept and expend funds from the California Department of Transportation (Caltrans) for viaduct construction, and $9,576,251 in interest income. These various sources and uses are herein appropriated for various San Francisco International Airport (SFIA) capital projects as detailed below to reflect the updated San Francisco International Airport Five-Year Capital Plan, Fiscal Year 2004-05 through Fiscal Year 2008-09. Of the $243,723,524 appropriated, $24,970,000 for the Westfield Cargo Redevelopment project is herein placed on reserve.
(Fiscal impact.)

10/11/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

4. 051248 **[Sacramento Street Neighborhood Commercial District – Allowing residential conversion on second and third stories with a conditional use permit]**

Supervisor Alioto-Pier

Ordinance amending Section 724.1 of the Planning Code to allow, as a conditional use, for conversion of upper floor residential units in the Sacramento Street Neighborhood Commercial District as a conditional use, where: the new use will be an Other Institution, Large, Educational Services use, only one dwelling unit in building will be converted and that unit is the only non-residential use in the building, and no legally residing tenant will be displaced; and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

10/11/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

5. 051554 **[Abolition of legislated setback for 301–323 14th Avenue]**
Supervisor McGoldrick
Ordinance amending the San Francisco Planning Code by abolishing the legislated front setback of the southeastern portion of the property located at 301-323 14th Avenue, identified as Assessor's Block No. 1446, Lot No. 054 (formerly Lots 001, 004, 006, 053), as shown on Block Book Map No. 1446 of the City and County of San Francisco, Volume 12; and adopting General Plan, Planning Code Section 101.1(b), and environmental findings.
(Planning Department)

10/11/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

6. 051609 **[Mortgage Credit Certificates]**
Supervisors Ma, Elsbernd
Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of Mortgage Credit Certificates.

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Mirkarimi, Dufty

7. 051704 **[Appointment - Treasury Oversight Committee]**
Resolution appointing Scott MacDonald, term ending June 5, 2009, to the Treasury Oversight Committee.
Scott MacDonald, succeeding Leonardo Fermin, resigned, seat 4, must represent the public at large, for the unexpired portion of a four-year term ending June 5, 2009.

Question: Shall this Resolution be ADOPTED?

8. 051705 **[Appointment - Bicycle Advisory Committee]**
Resolution appointing Frank Chan, term ending November 19, 2006, to the Bicycle Advisory Committee.
Frank Chan, succeeding Dianna Waggoner, seat 3, must be a nominee of District 3 Supervisor. The member shall serve a two-year term or for the tenure of the supervisor who nominated the member, whichever is shorter in duration, for the unexpired portion of a two-year term ending November 19, 2006.

Question: Shall this Resolution be ADOPTED?

9. **051706** **[Appointment - Graffiti Advisory Board]**

Resolution appointing Milo Hanke, term indefinite, to the Graffiti Advisory Board.

Milo Hanke, succeeding Julie Viera, resigned, seat 4, must represent a nonprofit organization who provides services related to the City's beautification and neighborhood cleanup programs, for an indefinite term.

Question: Shall this Resolution be ADOPTED?

10. **051709** **[Appointment - Community Choice Aggregation Citizens Advisory Task Force]**

Resolution appointing Maurice Campbell, term ending May 31, 2006, to the Community Choice Aggregation Citizens Advisory Task Force.

Maurice Campbell, new appointment, seat 3, must be an environmental justice advocate currently residing in the southeast sector of San Francisco, for the unexpired portion of a two-year term ending May 31, 2006.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors Mirkarimi, Dufty, Peskin

11. **051707** **[Appointment - Local Homeless Coordinating Board]**

Resolution appointing Laura Guzman, L.S. Wilson, Jr., Barbara Blong and Rev. Harry Chuck, for a term to be determined, to the Local Homeless Coordinating Board, residency requirement waived.

Laura Guzman (residency waiver required), new appointment, seat 1, must be a member of the disabled community, for a term to be determined.

L.S. Wilson, Jr., new appointment, seat 2, must be a representative of homeless or formerly homeless, community and advocacy organizations, service-provider agencies, business and corporate sectors or the foundation community, for a term to be determined.

Barbara Blong, new appointment, seat 3, must be a representative of homeless or formerly homeless, community and advocacy organizations, service-provider agencies, business and corporate sectors or the foundation community, for a term to be determined.

Rev. Harry Chuck, new appointment, seat 4, must be a representative of homeless or formerly homeless, community and advocacy organizations, service-provider agencies, business and corporate sectors or the foundation community, for a term to be determined.

Question: Shall this Resolution be ADOPTED?

12. **051708** **[Appointment - Shelter Monitoring Committee]**

Resolution appointing Maxine Pauson and Dorothy Harris, terms ending November 23, 2006, to the Shelter Monitoring Committee.

Maxine Pauson, succeeding Bruce Allison, resigned, seat 1, must be homeless or formerly homeless, for the unexpired portion of a two-year term ending November 23, 2006.

Dorothy Harris, succeeding Jesus Medellin, resigned, seat 6, must be selected from a list of candidates that are nominated by non-profit agencies that provide advocacy or organizing services to homeless people, for the unexpired portion of a two-year term ending November 23, 2006.

Question: Shall this Resolution be ADOPTED?

13. 051592 **[Appointment - Pedestrian Safety Advisory Committee]**

Resolution appointing Anna Zacher, Pi Ra, Aileen Carrigan, terms ending March 28, 2007, and Anwar Mai, term ending March 28, 2006, to the Pedestrian Safety Advisory Committee.

Anna Zacher, succeeding Susan Vaughn, term expired, seat 2, must be a representative from a pedestrian safety organization, for the unexpired portion of a two-year term ending March 28, 2007.

Pi Ra, succeeding himself, term expired, seat 6, must be a representative from bicycle or other non-motorized wheeled personal transport organization, for the unexpired portion of a two-year term ending March 28, 2007.

Aileen Carrigan, succeeding Ed Franklin, term expired, seat 10, must represent the public at-large, for the unexpired portion of a two-year term ending March 28, 2007.

Anwar Mai, succeeding Sharon Priest, resigned, seat 11, must represent the public at-large, for the unexpired portion of a two-year term ending March 28, 2006.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty

14. 050253 **[Proposition 65 Ordinance - Safe Drinking Water and Toxic Enforcement Act of 1986]**

Supervisor Mirkarimi

Ordinance amending the San Francisco Health Code by adding Section 456.6, to require the Department of Public Health to Enforce the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65) and its implementing regulations with respect to foods which are subject to a state or federal Department of Health and Human Services, Food and Drug Administration, or Environmental Protection Agency safety advisory where said advisory is regarding a substance included on the Proposition 65 list issued by the State of California Environmental Protection Agency and to require certain food establishments to provide Proposition 65 warnings in English, Spanish, and Chinese.

10/11/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

10/11/2005, CONTINUED. Continued as amended to October 18, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors McGoldrick, Dufty, Ma

15. 051458 [Public Works Code - landmark trees and penalties for violations]
Supervisor McGoldrick
Ordinance amending the Public Works Code by amending Section 802 to modify various definitions; amending Sections 802, 806, and 809 to redefine nuisance trees as hazard trees; amending Sections 802 and 803 authorizing the Urban Forestry Council to succeed to the powers and duties of the Tree Advisory Board; amending Sections 804, 807, 808, and 810 concerning landmark trees and procedures to designate, nominate, and remove landmark trees; amending Section 811 to create civil penalties and fines and to modify provisions on administrative penalties; and making environmental findings.

9/27/2005, CONTINUED. Continued to October 11, 2005
10/11/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
10/11/2005, CONTINUED. Continued as amended to October 18, 2005
Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

16. 050883 [Designating a sole source contractor for the art elements of the 24th and York Mini Park]
Supervisor Ammiano
Ordinance designating Precita Eyes Muralists as the sole source contractor for the art elements of the 24th and York Mini Park and waiving the competitive procurement requirements of San Francisco Administrative Code Chapter 6 for these services.

Question: Shall this Ordinance be PASSED ON FIRST READING?

17. 051250 **[Medical cannabis guidelines and medical cannabis dispensary zoning and permitting]**
Supervisor Mirkarimi
Ordinance amending the San Francisco Planning Code by amending Sections 209.3, 217, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 810, 811, 812, 813, 814, 815, 816, 817, and 818, and by adding Sections 790.141, and 890.131, to: define medical cannabis dispensaries; prohibit dispensaries in residential-house and residential-mixed zoning districts; prohibit new medical cannabis dispensaries in neighborhood commercial cluster (NC-1) districts; permit dispensaries elsewhere subject to restrictions based on a dispensary's proximity to schools, community centers, and facilities providing substance abuse services that are licensed or certified by the State of California or funded by the Department of Public Health; require adequate ventilation in dispensaries; prohibit the sale or distribution of alcohol at dispensaries; require Planning Department notice to interested individuals and properties within 300 feet of proposed dispensaries; require dispensaries operating as of April 1, 2005 to obtain a permit within 18 months of the effective date of this legislation or must cease operations; require dispensaries beginning operation after April 1, 2005 but before the effective date of this legislation to cease operations; require a notice that permits for dispensaries are not intended to and do not authorize the violation of State or Federal law; and make environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan;
Amending the San Francisco Health Code by adding Sections 3200 through 3220, to: set medical cannabis possession guidelines; require a permit, business license, and business registration certificate for a medical cannabis dispensary; set out the application process for a medical cannabis permit; set out operating requirements for medical cannabis dispensaries; and set out the administrative process for imposing penalties and/or permit suspension or revocation for violations;
Amending the San Francisco Traffic Code by amending Sections 53 and 132, to create an infraction for double parking in front of a medical cannabis dispensary and set the fine at $100; and,
Amending the San Francisco Business and Tax Regulations Code by amending Section 1 to add Section 1.177 to authorize the Department of Health to issue medical cannabis dispensary permits.
(Fiscal impact.)
(Supervisor Elsbernd dissented in Committee.)

9/27/2005, SUBSTITUTED. Supervisor Mirkarimi submitted a substitute ordinance bearing new title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Rules Committee

Present: Supervisors Mirkarimi, Dufty, Peskin

18. 050867 **[San Francisco Community Health Joint Powers Authority Conflict of Interest Code]**
Supervisor Ammiano
Ordinance amending Chapter 1 of Article III of the Campaign and Governmental Conduct Code by adding section 3.1-417 to create a conflict of interest code for the San Francisco Community Health Joint Powers Authority.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES
Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

19. 051627 **[Public Hearing - Appeal of Categorical Exemption for 1070 Sanchez Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated March 28, 2005 (Case No. 2004.0810E), exempting from environmental review the proposal to demolish an existing, two-story, single-family structure, and construct in its place a four-story, two unit building. The existing building is about 29-feet-tall and contains approximately 950 gross square feet (gsf), with two bedrooms, and two independently accessible parking spaces. The new building would be about 40 feet tall, four-stories, about 4,934, gsf of space, containing two dwelling units (with three bedrooms each), and two, independently accessible parking spaces. The net change in gross square footage for the site would be an increase of about 3,984 gsf; there would be no net change in number of parking spaces. According to the project sponsor, there is a 9-inch diameter camellia, a 23-inch hemlock and an unidentified 33-inch tree on site. The camellia and hemlock would be removed and the 33-inch tree would remain with the project. According to the Historical Resource Evaluation Report, the structure was likely constructed in 1887, as the water records show a hookup date of August 26, 1887. The building is not included in any survey or inventory, and has been determined not to be an historical resource under CEQA.

The approximately 2,539 sq. ft. project site is located at 1070 Sanchez Street, west side of Sanchez Street, between Elizabeth Street and 24th Street, in the Noe Valley neighborhood of San Francisco; Lot 3 in Assessor's Block 3654 in an RH-3 (House, Three-Family) District and 40-X Height and Bulk District. (Appellant: Tracey Hughes)
(Filed 9/23/05; companion measure to Files 051628, 051629, 051630; District 2.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

20. 051628 **[Affirming the categorical exemption issued for 1070 Sanchez Street]**
Motion affirming the determination by the Planning Department that the 1070 Sanchez Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Question: Shall this Motion be APPROVED?

21. 051629 **[Disapproving the categorical exemption issued for 1070 Sanchez Street]**
Motion disapproving the determination by the Planning Department that the 1070 Sanchez Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Question: Shall this Motion be APPROVED?

22. 051630 **[Preparation of findings related to the categorical exemption issued for 1070 Sanchez Street]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 1070 Sanchez Street project is categorically exempt from environmental review under the California Environmental Quality Act.

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

From the Budget and Finance Committee

The following items will be considered by the Budget and Finance Committee at a Regular Meeting on Thursday, October 13, 2005 at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, October 18, 2005.

23. 051747 **[Setting a permit application fee and an annual license fee for medical cannabis dispensaries]**
Supervisor Mirkarimi
Ordinance amending the San Francisco Health Code to add Section 3204 setting an application fee for a medical cannabis dispensary permit and amending the Business and Tax Regulations Code to add Section 249.17 to provide for an annual license fee for permitted medical cannabis dispensaries.

Question: Shall this Ordinance be PASSED ON FIRST READING?

24. 051636 **[Expend Federal Funding – Community Development Block Grant]**
Supervisors Ammiano, Maxwell
Resolution approving the expenditure of One Million Six Hundred Eleven Thousand Seven Hundred and Seventy-eight Dollars ($1,611,778) of Community Development Block Grant Funds.

Question: Shall this Resolution be ADOPTED?

From the Government Audit and Oversight Committee

The following items will be considered by the Government Audit and Oversight Committee at a Special Meeting on Monday, October 17, 2005 at 1:00 p.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, October 18, 2005.

25. 051603 [Port of San Francisco Proposed Piers 27-31 Mixed Use Recreation Project Fiscal Feasibility]
Resolution adopting findings that the proposed Piers 27-31 Mixed Use Recreation Project is fiscally feasible and responsible under Administrative Code Chapter 29.
(Port)

Question: Shall this Resolution be ADOPTED?

26. 051674 [Settlement of Lawsuit - CCSF et al., v. Myers Natoma Venture, et al.]
Mayor, Supervisor Daly
Ordinance authorizing settlement of the eminent domain action filed by the City and County of San Francisco against Myers Natoma Venture, LLC, filed on October 8, 2004 in San Francisco Superior Court, No. 04-435-334; entitled City and County of San Francisco, et al., v. Myers Natoma Venture, LLC, et al.; and authorizing settlement of the lawsuit filed by Myers Natoma Venture and Myers Development Company against the City and County of San Francisco, the Transbay Joint Powers Authority, and the Peninsula Corridor Joint Powers Board, filed on July 16, 2004 in San Francisco Superior Court, No. 04-504-363, entitled Myers Natoma Development, et al., v. City and County of San Francisco, et al., for fifty-eight million dollars ($58,000,000) payable by the Transbay Joint Powers Authority with funding from the San Francisco County Transportation Authority and the Metropolitan Transportation Commission; other material terms of said settlement are that the City and County of San Francisco and the Metropolitan Transportation Commission are to take title to 80 Natoma Street if the Transbay Terminal Project fails to meet deadlines in the Cooperative Agreement for commencement of terminal operations, Myers waives any right to refile claims related to the June 2004 suspension of its permit for 80 Natoma, as well as the terms and conditions as provided in Exhibit A.

Question: Shall this Ordinance be PASSED ON FIRST READING?

CLOSED SESSION

CONFERENCE WITH THE CITY ATTORNEY

27. 051702 [Closed Session - Existing Litigation City as Plaintiff and Defendant]
Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding proposed settlements in the following pending litigation in which, in sum, the City and County moved for eminent domain to obtain property located at 80 Natoma Street in San Francisco, near the site of the Transbay Terminal, and the property owner(s) have filed related litigation against the City.

Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending litigation listed below.

City and County of San Francisco, et al., v. Myers Natoma Venture, LLC, et al., S. F. Superior Court No. 04-435-334 (filed October 8, 2004)
Myers Natoma Development, et al., v. City and County of San Francisco, et al., S. F. Superior Court No. 04-504-363 (filed July 16, 2004)
(City Attorney)

Question: Shall this Motion be APPROVED?

After a closed session, if one occurs, the President shall (1) request the Deputy City Attorney to identify the subjects discussed in the closed session, and (2) direct the Clerk of the Board to report the vote taken on any motion in the closed session.

[Elect To Disclose]
Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

28. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

29. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 30 through 44

30. **051687** **[Contracting Out City Services - D.A. Victim Witness Program]**

Supervisor Ammiano

Resolution concurring with the Controller's certification that assistance to certain victims of crime and education in community anti-street violence can be practically performed for the District Attorney's Victim Witness Assistance Program by a private contract at a cost of $145,751, a lower cost than similar work services performed by City and County employees.

10/11/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

31. **051688** **[Treasure Island Development Authority]**

Supervisor Daly

Resolution urging the Treasure Island Community Developers (TICD) to pay $1.8 million to the Treasure Island Development Authority (TIDA) pursuant to the original Exclusive Negotiating Agreement (ENA), and for TIDA to immediately address the quality of life concerns of residents at Treasure Island.

10/11/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

32. **051689** **[Commending Lawrence D. Laterza]**

Supervisor Dufty

Resolution commending Lawrence D. Laterza for his career as a Licensed Clinical Social Worker in the City and County of San Francisco.

10/11/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

33. **051690** **[Opposition to Proposition 74, "Put The Kids First Act"]**

Supervisors Dufty, Ammiano, Ma

Resolution opposing Proposition 74, "Put The Kids First Act," on the November 8, 2005 special ballot election.

10/11/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

34. 051691 **[Opposition to Proposition 75, the "Paycheck Deception Act"]**
Supervisors Dufty, Ammiano, Ma
Resolution strongly opposing Proposition 75, the "Paycheck Deception Act" on the November 8, 2005 special ballot election.

10/11/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

35. 051692 **[Duplication of Health Benefits to City-Employed Spouses and Partners]**
Supervisor Elsbernd
Resolution urging the Health Service Board to adopt a rule change that will eliminate the duplication of health benefits to City-employed spouses and partners.

10/11/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

36. 051693 **[Oil Drilling Activities]**
Supervisor Ma
Resolution urging Venoco Inc. and other petroleum and energy interests to not increase their oil drilling activities off the California coast by resuming drilling from Platform Grace, or other expansions, and to issue a public statement confirming this action.

10/11/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

37. 051694 **[Opposing Proposition 73, the "Parental Notification and Child Protection Act"]**
Supervisor Maxwell
Resolution opposing Proposition 73, otherwise known as the "Parental Notification and Child Protection Act."

10/11/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

38. 051695 **[Accept-Expend Federal Grant - Mayor's Office of Criminal Justice (MOCJ) - $100,000]**
Supervisor Maxwell
Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of $100,000 from the Office of Justice Programs (OJP), Department of Justice for the purpose of supporting activities to reduce the number of violent and drug-related crimes in the designated Weed and Seed area within the Bayview Hunters Point neighborhood.

10/11/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

39. 051696 [Accept-Expend Federal Grant - Mayor's Office of Criminal Justice (MOCJ) - $653,368]

Supervisor Maxwell

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of $653,368 from the Bureau of Justice Assistance (BJA), Office of Justice Programs (OJP), Department of Justice for the purpose of supporting activities to reduce the drug problem and violent activity associated with drug activity in San Francisco.

10/11/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 051697 [Zoning - Extension of Planning Commission Review Period - Better Neighborhood Planning]

Supervisor McGoldrick

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Administrative Code to add Chapter 36 to establish uniform procedures for developing comprehensive neighborhood plans (the "Better Neighborhoods Planning and Implementation Process"); to Administrative Code Section 3.4 to provide for integrated Better Neighborhoods Plan budget documents, and to amend the Planning Code to add Section 312A regarding discretionary review for projects proposed in Better Neighborhoods Plan areas.

10/11/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

41. 051698 [Commending Webzine 2005]

Supervisor Mirkarimi

Resolution commending Webzine 2005, for promoting independent online publishing.

10/11/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 051699 [Authorizing the Sheriff Department to execute contracts with the State]

Supervisor Mirkarimi

Resolution authorizing the Sheriff Department to execute contracts with the California Department of Corrections and Rehabilitation (CDCR) for the care and confinement of inmates/parolees while pending probable cause determination, revocation of parole or being returned to custody.

10/11/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. 051700 [Accept and Expend Grant Lead Safe for Kid's Sake Award of Excellence - Fiscal Year 2005-2006; Lead Program at the Mayor's Office of Housing]

Supervisor Peskin

Resolution authorizing the Mayor through the Mayor's Office of Housing to accept and expend a grant of $175,000.00 from the United States Conference of Mayors for outreach, education and testing related to lead hazards in housing in the City and County of San Francisco.

10/11/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

44. 051701 **[Condemning William Bennett for his racist comments]**
Supervisor Sandoval
Resolution condemning former Education Secretary William Bennett 's racist and inflammatory comments on his syndicated radio talk show suggesting that the abortion of African American babies would reduce the country's crime rate.

10/11/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

45. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from October 4, 2005 through October 7, 2005, for reference by President to appropriate committee on October 18, 2005.

There were none.

PROPOSED RESOLUTIONS

Proposed resolutions received from October 4, 2005 through October 7, 2005, for reference by President to appropriate committee on October 18, 2005.

PROPOSED MOTIONS

There were none.

051750 [Petition and Communications]

Petitions and Communications received from October 4, 2005 through October 7, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on October 18, 2005.

From concerned citizens, submitting support for the request made by Guide Dogs for the Blind and others to enforce leash laws at the Golden Gate National Recreation Area. Received 553 letters. (1)

From Public Library, submitting Efficiency Plan for fiscal year 2005/06. (2)

From concerned citizens, submitting support for passage of proposed legislation that would require food establishments selling fresh and canned fish to provide Proposition 65 warning labels in English, Spanish and Chinese. File 050253, Copy: City Operations Committee members. Received 9 letters. (3)

From Kevin Binkert, owner of Standard Metal Products is interested and capable in solving the fire hydrant adapter issue the city is facing. Copy: Fire Department (4)

From State Office of Emergency Services, submitting copy of letter sent to the Director of Emergency Services, notifying her of approval of grant application in the amount of $125,217. (5)

From concerned citizens, submitting support for proposed Home Depot store on Bayshore Boulevard. File No. 051446, Copy: Each Supervisor (6)

From Commission on the Environment, submitting support for proposed legislation regarding "Payroll Expense Tax Exclusion for Qualified Renewable Energy Business" that amends the Payroll Expense Tax Ordinance to establish a tax-exclusion for qualified renewable energy businesses and requesting that all efforts will be made to have a first-source hiring policy. File No. 050922, Copy: Each Supervisor (7)

From Budget Analyst, regarding scheduling of management audit of the Emergency Communications Department. (8)

From US Congressman Tom Lantos, submitting support for proposed legislation calling for the belated provision of full veteran's rights to the Filipino servicemen of World War II who fought in that terrible conflict on behalf of the United States. File No. 051371, Copy: Each Supervisor (9)

From Office of the Treasurer/Tax Collector, submitting the Cash difference and Overage Fund balance and activities reported for the period ending September 30, 2005. (10)

From Department of Parking and Traffic, reporting that the repainting of faded crosswalks at the intersection of Hayes and Shrader Streets will be done as soon as scheduling allows. (Reference No. 20050913-003) Copy: Supervisor Mirkarimi (11)

From Department of Parking and Traffic, regarding review of the faded morning rush hour tow-away lane on Oak Street between Baker and Laguna Streets. (Reference No. 20050906-004) Copy: Supervisor Mirkarimi (12)

From West of Twin Peaks Central Council, submitting request for extension of proposed legislation regarding the Better Neighborhoods Planning and Implementation Process. File No. 050601, Copy: Each Supervisor (13)

From Kevin Ward, submitting opposition to the current development plans of Mills Corporation for Piers 27-31. File No. 051603, Copy: Each Supervisor (14)

From Office of the Treasurer/Tax Collector, submitting the annual report of businesses that filed for biotechnology exclusion for the 2004 calendar year. (15)

From Jim Gibson, regarding his disappointment in the current level of MUNI service over the last week. (16)

From Jim Wong, submitting opposition to closing two of the three lanes on Sunset Boulevard in both directions to traffic flow to accommodate shuttle buses for the PGA Tournament. (17)

From San Francisco Redevelopment Agency, submitting its financial and performance reports for the quarter ended June 30, 2005. Copy: Supervisors Mirkarimi and Elsbernd. (18)

From Planning Department, submitting response to inquiry regarding federal monies for earthquake-related assistance. (Reference No. 20050920-018) Copy: Supervisors Peskin, Ma, and Mirkarimi. (19)

From Michelle Foy, submitting support for the legislation urging the Civil Service Commission and the Department of Human Resources to review and revise current policies and procedures where appropriate so that people who have been in prison or convicted of criminal activity are not unreasonably denied City employment. File No. 051638, Copy: Each Supervisor (20)

From Lew Houden, submitting opposition for the legislation urging the Civil Service Commission and the Department of Human Resources to review and revise current policies and procedures where appropriate so that people who have been in prison or convicted of criminal activity are not unreasonably denied City employment. File No. 051638, Copy: Each Supervisor (21)

From Municipal Transportation Agency, submitting Interim Report on Octavia Blvd. File No. 051619, Copy: Each Supervisor (22)

From Office of the Controller, Financial Audits Division, submitting report concerning the Review of the Performing Arts Garage's Revenue Parking System. (23)

From Office of the Controller, Financial Audits Division, submitting report concerning the Review of CPA's Audits of Clear Channel Airports. (24)

From concerned citizens, expressing concerns regarding the noise and disruption the Blue Angels caused flying over the City. Received 3 letters. (25)

From concerned citizens, urging the Board of Supervisors to do what it can to help Susan Cervantes from being evicted from her rented family home of 35 years, located at 398 Precita Avenue. Received 2 letters. (26)

From Ken Broussard, expressing concern about how the City is paying the salaries of the head of the SF Deputy Sheriff's Association and the SF Police Officers Association. (27)

From Steven Solomon, urging the Board of Supervisors to enact a Community Choice Energy plan. File No. 051417, Copy: Each Supervisor. (28)

From Matthew Chambers, submitting support of bicycle lanes on 14th Street between Dolores and Market. Copy: Each Supervisor. (29)

From Karen Mokrzycki, submitting support for the Mayor's interest in the possibility of free or cheap WiFi access for the City. (30)

From concerned citizen, submitting a copy of e-mail that was sent to R. Spray and E. Warshauer regarding patients assaulting staff at SFGH Psychiatric Unit. (31)

From Michael Crandell, submitting letter regarding the disappearance of the 2005 Health Service System open enrollment mailing debacle report. Copy: Each Supervisor. (32)

From James Galgano, seeking assistance from the Board of Supervisors with a list of concerns and incidents that have occurred at Dr. Martin Luther King Jr. Academic Middle School. (33)

From James Lamb, opposing the various proposals to regulate the sales of specific types of alcoholic beverages in his neighborhood. Copy: Supervisor Daly. (34)

From Amy Chen, requesting the Board of Supervisors to investigate the lack of English signs and menus in stores and restaurants for non-asian people living in the City. Copy: Supervisor Ma. (35)

From Susan Rio, opposing the construction of the Plaza Apartment on 6th & Howard Streets due to the proximity to Bessie Carmichael Elementary School. (36)

From Tracey Hughes, requesting a continuance of the hearing on the categorical exemption for project located at 1070 Sanchez Street that is scheduled for October 18, 2005. Copy: Supervisor Dufty. (37)

From Joseph Kubik, expressing opposition to newly considered strict gun control ordinances. Copy: Each Supervisor. (38)

From Janet Lawson, regarding Supervisor Daly allegedly accusing Pat Murphy, the founder of the San Francisco Sentinel, of running an online political action committee. (39)

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised

October 13, 2005

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Ordinance amending Payroll Tax exclusion for persons who hire the disabled and homeless	051604	Budget and Finance Committee	Supervisor Alioto-Pier	9/20/05	10/20/05
Ordinance amending SF Health Code relating to penalties to dog licensing	051605	City Operations and Neighborhood Services Committee	Supervisor Dufty	9/20/05	10/20/05
Ordinance amending SF Health Code relating to penalties to vicious and dangerous dogs	051606	City Operations and Neighborhood Services Committee	Supervisor Dufty	9/20/05	10/20/05
Ordinance amending SF Health Code mandating the spaying and neutering of pit bulls and prohibiting non-permitted breeding of pit bulls	05607	City Operations and Neighborhood Services Committee	Supervisor Dufty	9/20/05	10/20/05
Ordinance amendment Subdivision Code regarding Planning Commission hearings on condominium conversions	051637	Land Use Committee	Supervisor Daly	9/27/05	10/27/05
Ordinance adding to the Administrative Code regarding office of Labor Standards Enforcement	051652	Rules Committee	Supervisor Ammiano	9/27/05	10/27/05
Ordinance amending Planning Code to expand the application of the Inclusionary Affordable Housing Program to include buildings of 5 units or more	051668	Land Use Committee	Supervisor McGoldrick	10/11/05	11/11/05

Ordinance amending Planning Code to provide limited full service restaurants and bars – Noe Valley Neighborhood Commerical District	051676	Land Use Committee	Supervisor Dufty	10/11/05	11/11/05

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.
OCT 21 2005
SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, October 25, 2005 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Ammiano, Mirkarimi, Elsbernd	Thursday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Peskin, Elsbernd, Daly	2nd and 4th Monday 1:00 PM
Land Use Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Alioto-Pier, Mirkarimi, Peskin	Wednesday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices. (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Meeting Minutes for September 27, 2005.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 8

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

1. 050883 **[Designating a sole source contractor for the art elements of the 24th and York Mini Park]**
Supervisor Ammiano
Ordinance designating Precita Eyes Muralists as the sole source contractor for the art elements of the 24th and York Mini Park and waiving the competitive procurement requirements of San Francisco Administrative Code Chapter 6 for these services.

10/18/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

2. 051596 [Contract Amendment for Muni Metro East Light Rail Facility]

Resolution authorizing the Director of Transportation to execute the Tenth Amendment to San Francisco Municipal Railway Contract No. CS-116, Design and Construction Support Services for Muni Metro East Light Rail Vehicle Maintenance and Operations Facility with Gannett Fleming, Inc. for an amount not to exceed $3,313,629, for a total contract amount not to exceed $12,262,990, and for a contract extension of two and one-half years, for a total contract term of ten years.
(Municipal Transportation Agency)
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

3. 051635 [FY 2005-06 California Constitution Appropriations Limit]

Supervisor Peskin

Resolution establishing the appropriations limit for Fiscal Year 2005-06 pursuant to California Constitution Article XIII B.

Question: Shall this Resolution be ADOPTED?

4. 051642 [Authorizing the Teeter Tax Losses Reserve Fund to be governed by Revenue and Taxation Code Section 4703.2 for fiscal years 2004-2005 and 2005-06]

Supervisor Peskin

Resolution authorizing the Teeter Tax Losses Reserve Fund to be governed by Revenue and Taxation Code Section 4703.2 for fiscal years ending June 30, 2005 and June 30, 2006.

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Dufty and Ma

5. 051387 [Temporary Occupancy of Commercial Vehicle Parking Meters]

Supervisor Peskin

Resolution establishing temporary occupancy of a portion of the commercial vehicle parking meters on the north side of Post Street between Kearny and Montgomery from 8:30 am to 5:00 pm on every Thursday beginning July 14, 2005 through November 30, 2006.

Question: Shall this Resolution be ADOPTED?

6. 051497 [Liquor License, 2339 Third Street]

Resolution determining that the transfer of a Type 20 off-sale beer and wine license from 3699 17th Street to 2339 Third Street, Suite 19 to Jason Walthall for Taste Inc. will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.

Question: Shall this Resolution be ADOPTED?

7. 051670 **[State funding for California Healthcare for Indigents Program (CHIP) allocation for medical services to indigent persons]**

Supervisor Ma

Resolution authorizing the Department of Public Health to accept and expend retroactively a grant allocation in the amount of $2,622,282 for Fiscal Year 2005-06 funding from the State Department of Health Services for California Healthcare for Indigents Program (CHIP) funds for medical services to indigent persons, professional services, medical services contracts, materials and supplies, and personal services; for the period of July 1, 2005, to June 30, 2006.

Question: Shall this Resolution be ADOPTED?

Recommendation of the Rules Committee

Present: Supervisors Mirkarimi, Dufty, Peskin

8. 050867 **[San Francisco Community Health Joint Powers Authority Conflict of Interest Code]**

Supervisor Ammiano

Ordinance amending Chapter 1 of Article III of the Campaign and Governmental Conduct Code by adding section 3.1-417 to create a conflict of interest code for the San Francisco Community Health Joint Powers Authority.

10/18/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

9. 051250 **[Medical cannabis guidelines and medical cannabis dispensary zoning and permitting]**
Supervisor Mirkarimi
Ordinance amending the San Francisco Planning Code by amending Sections 209.3, 217, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 810, 811, 812, 813, 814, 815, 816, 817, and 818, and by adding Sections 790.141, and 890.131, to: define medical cannabis dispensaries; prohibit dispensaries in residential-house residential-mixed zoning districts, industrial districts, and certain mixed use districts; prohibit new medical cannabis dispensaries in neighborhood commercial cluster (NC-1) districts; permit dispensaries elsewhere subject to restrictions based on a dispensary's proximity to schools, community centers, and facilities providing substance abuse services that are licensed or certified by the State of California or funded by the Department of Public Health; require adequate ventilation in dispensaries; prohibit the sale or distribution of alcohol at dispensaries; require Planning Department notice to interested individuals and properties within 300 feet of proposed dispensaries; require the Planning Commission to hold a discretionary review hearing on each medical cannabis dispensary application; require dispensaries operating as of April 1, 2005 to obtain a permit within 18 months of the effective date of this legislation or must cease operations; require dispensaries beginning operation after April 1, 2005 but before the effective date of this legislation to cease operations; require a notice that permits for dispensaries are not intended to and do not authorize the violation of State or Federal law; and make environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan;
Amending the San Francisco Health Code by adding Sections 3200 through 3220, to: set medical cannabis possession guidelines; require a permit, business license, and business registration certificate for a medical cannabis dispensary; set out the application process for a medical cannabis permit; set out operating requirements for medical cannabis dispensaries including signage and advertising requirements; and set out the administrative process for imposing penalties and/or permit suspension or revocation for violations;
Amending the San Francisco Traffic Code by amending Sections 53 and 132, to create an infraction for double parking in front of a medical cannabis dispensary and set the fine at $100; and.
Amending the San Francisco Business and Tax Regulations Code by amending Section 1 to add Sections 1.177 to authorize the Department of Health to issue medical cannabis dispensary permits.

9/27/2005, SUBSTITUTED. Supervisor Mirkarimi submitted a substitute ordinance bearing new title.

10/18/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

10/18/2005, CONTINUED. Continued as amended to October 25, 2005.

Question: Shall this Ordinance be PASSED ON FIRST READING?

10. 051747 **[Setting a permit application fee and an annual license fee for medical cannabis dispensaries]**
Supervisor Mirkarimi
Ordinance amending the San Francisco Health Code to add Section 3204 setting an application fee for a medical cannabis dispensary permit and amending the Business and Tax Regulations Code to add Section 249.17 to provide for an annual license fee for permitted medical cannabis dispensaries.

10/18/2005, AMENDED. Amended by replacing "$6,110 with $6,691"
10/18/2005, CONTINUED. Continued as amended to October 25, 2005.
Question: Shall this Ordinance be PASSED ON FIRST READING?

11. 050922 **[Payroll Expense Tax Exclusion for qualified clean energy technology businesses]**
Supervisors McGoldrick, Alioto-Pier, Mirkarimi, Elsbernd, Ma
Ordinance amending the Payroll Expense Tax Ordinance to establish a tax exclusion for qualified clean energy technology businesses, as specified.

10/11/2005, CONTINUED. Continued to October 25, 2005
Supervisor Ma requested to be added as a co-sponsor.
Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Elsbernd, Daly

12. 051674 **[Settlement of Lawsuit - CCSF et al., v. Myers Natoma Venture, et al.]**
Mayor, Supervisor Daly
Ordinance authorizing settlement of the eminent domain action filed by the City and County of San Francisco against Myers Natoma Venture, LLC, filed on October 8, 2004 and amended on November 5, 2004, in San Francisco Superior Court, No. 04-435-334; entitled City and County of San Francisco, et al., v. Myers Natoma Venture, LLC, et al.; and authorizing settlement of the lawsuit filed by Myers Natoma Venture and Myers Development Company against the City and County of San Francisco, the Transbay Joint Powers Authority, and the Peninsula Corridor Joint Powers Board, filed on July 16, 2004 in San Francisco Superior Court, No. 04-504-363, entitled Myers Natoma Development, et al., v. City and County of San Francisco, et al., for fifty-eight million dollars ($58,000,000) payable by the Transbay Joint Powers Authority with funding from the San Francisco County Transportation Authority and the Metropolitan Transportation Commission; other material terms of said settlement are that the San Francisco County Transportation Authority and the Metropolitan Transportation Commission are to take title to 80 Natoma Street if the Transbay Terminal Project fails to meet deadlines in the Cooperative Agreement for commencement of terminal operations, Myers waives any right to refile claims related to the June 2004 suspension of its permit for 80 Natoma, as well as the terms and conditions as provided in Exhibit A.

10/18/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
10/18/2005, PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty

13. 050253 [Proposition 65 Ordinance - Safe Drinking Water and Toxic Enforcement Act of 1986]

Supervisor Mirkarimi

Ordinance amending the San Francisco Health Code by adding Section 456.6, to require the Department of Public Health to Enforce the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65) and its implementing regulations with respect to foods which are subject to a state or federal Department of Health and Human Services, Food and Drug Administration, or Environmental Protection Agency safety advisory where said advisory is regarding a substance included on the Proposition 65 list issued by the State of California Environmental Protection Agency and to require certain food establishments to provide Proposition 65 warnings in English, Spanish, and Chinese.

10/11/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

10/11/2005, CONTINUED. Continued as amended to October 18, 2005

10/18/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

10/18/2005, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

14. 051297 **[Accept-Expend Corporate Grant - Department of the Environment]**
Supervisor Ma
Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $61,223.20 from Air Products and Chemicals, Incorporated (Inc.) for completion of site work for a hydrogen fueling station.

7/19/2005, REFERRED to Budget and Finance Committee. Supervisor Daly requested that this matter be referred to Committee.

Question: Shall this Resolution be ADOPTED?

From the Budget and Finance Committee Without Recommendation

15. 051599 **[Official Advertising - Type 1 for Consecutive Day Publication and Type 2 for Non-Consecutive Day Publication]**
Resolution designating the San Francisco Chronicle and Examiner to be the official newspapers of the City and County of San Francisco for the category of Type 1 consecutive day, and Type 2 non consecutive day official advertising services for the fiscal year commencing upon Board of Supervisors and Mayoral approval and ending June 30, 2006.
(Office of Contract Administration)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:00 P.M.

16. **051534** **[Public Hearing - Sidewalk Assessment Costs 534 Octavia Street]**
Hearing of persons interested in or objecting to report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.
(Clerk of the Board)

Action:_____

17. **051532** **[Report of assessment costs for sidewalk and curb repairs - 534 Octavia Street]**
Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.
(DPW Order No. 175,586; Location: 534 Octavia Street.)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

18. 051222 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 899 North Point Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 22, 2005, exempting from environmental review under Categorical Exemption, State CEQA Guidelines Sections 15303(b) and General Rule Exclusion, under CEQA Guidelines Section 15061(b)(3). The proposed project would involve the demolition of a vacant gas station building, approximately 1,650 square feet in size, and construction of a four-story, five-unit residential building. The proposed project would provide seven off-street parking spaces on the ground floor. Entrance and access to the residential units would be from Larkin Street and vehicular entrance and access would be from North Point Street. The project site at 899 North Point Street (Assessor's Block 0026, Lot 020) is approximately 5,469 square feet in size and located on the southeastern corner of North Point and Larkin Streets in the Russian Hill neighborhood on the block bounded by Larkin, North Point, Hyde and Bay Streets. The project site is zoned RH-3 (Residential, House, Three-Family) and is within a 40-X height and bulk district. The project site is also located in the Waterfront Special Use District No. 2, per Section 240.2 of the San Francisco Planning Code. (Appellant: Stephen M. Williams.)

(Filed June 17, 2005; companion measure to Files 051223, 051224, 051225; District 2.)

7/26/2005, CONTINUED. Continued to August 9, 2005

8/9/2005, CONTINUED. Continued to September 20, 2005

9/20/2005, CONTINUED. Continued to October 11, 2005

10/11/2005, CONTINUED. Continued to October 25, 2005

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

19. 051223 [Affirming the categorical exemption issued for 899 North Point Street]
Motion affirming the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/26/2005, CONTINUED. Continued to August 9, 2005
8/9/2005, CONTINUED. Continued to September 20, 2005
9/20/2005, CONTINUED. Continued to October 11, 2005
10/11/2005, CONTINUED. Continued to October 25, 2005
Question: Shall this Motion be APPROVED?

20. 051224 [Disapproving the categorical exemption issued for 899 North Point Street]
Motion disapproving the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/26/2005, CONTINUED. Continued to August 9, 2005
8/9/2005, CONTINUED. Continued to September 20, 2005
9/20/2005, CONTINUED. Continued to October 11, 2005
10/11/2005, CONTINUED. Continued to October 25, 2005
Question: Shall this Motion be APPROVED?

21. 051225 [Preparation of findings related to the categorical exemption issued for 899 North Point Street]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/26/2005, CONTINUED. Continued to August 9, 2005
8/9/2005, CONTINUED. Continued to September 20, 2005
9/20/2005, CONTINUED. Continued to October 11, 2005
10/11/2005, CONTINUED. Continued to October 25, 2005
Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:30 P.M.

22. 051445 **[Public Hearing - Appeal of Final Environmental Impact Report for 491 Bayshore Boulevard (HOME DEPOT)]**

Hearing of persons interested in or objecting to the Planning Commission's July 28, 2005, certification of a Final Environmental Impact Report identified as Case No. 2001.0062E, through its Motion 17071. The proposed project would involve the demolition of the existing vacant buildings equaling approximately 107,372 square feet and the construction of approximately 140,000 square foot home improvement center (HOME DEPOT) with a separate, attached 235,597 square foot parking garage accommodating 585 parking spaces with an M-1 (Light Industrial) District, a 65-J Height and Bulk District, and the Industrial Protection Zone Special Use District, located at 491 Bayshore Boulevard, Assessor's Block 5598, Lots 8, 9, 11, 13, 15, 16, 18, 21 and 28. (Appellant: Sue C. Hestor, Attorney, on behalf of Cole Hardware).

(Date Filed: 8/11/05; companion measure to Files 051446, 051447, 051448; District 10.)

9/27/2005, CONTINUED. Continued to October 25, 2005

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be approved.)

23. 051446 **[Affirm certification of 491 Bayshore Boulevard (Home Depot) FEIR]**

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 491 Bayshore Boulevard (Home Depot) Project.
(Clerk of the Board)

9/27/2005, CONTINUED. Continued to October 25, 2005

Question: Shall this Motion be APPROVED?

24. 051447 **[Disapprove certification of 491 Bayshore Boulevard (Home Depot) FEIR]**

Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the 491 Bayshore Boulevard (Home Depot) Project.
(Clerk of the Board)

9/27/2005, CONTINUED. Continued to October 25, 2005

Question: Shall this Motion be APPROVED?

25. 051448 **[Preparation of findings to disapprove certification of 491 Bayshore Boulevard (Home Depot) FEIR]**

Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the 491 Bayshore Boulevard (Home Depot) Project.
(Clerk of the Board)

9/27/2005, CONTINUED. Continued to October 25, 2005

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Budget and Finance Committee at a Regular Meeting on Thursday, October 20, 2005 at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, October 25, 2005.

26. 051748 **[Providing for adjustment of medical cannabis dispensary application fee and annual license fee based on changes in CPI]**

Supervisor Mirkarimi

Ordinance amending the San Francisco Health Code to amend Section 3204 to provide for adjustments of the application fee for medical cannabis dispensary permits based on changes to the consumer price index and amending the Business and Tax Regulations Code to amend Section 249.17 to provide for adjustments in the medical cannabis dispensaries annual license fees based on changes to the consumer price index.

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

28. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 29 through 42

29. 051719 **[Judicial Review of the Ogoni Nine]**
Supervisor Ammiano
Resolution urging the Government of Nigeria to conduct a full judicial review of the trial of the Ogoni Nine, make reparations to the survivors of the Ogoni Nine, increase social spending for the Ogoni and the Niger Delta as a whole, ensure that all members of the security forces receive training in international standards on the use of force and firearms, in particular the 1979 UN Code of Conduct for Law Enforcement Officials and the 1990 UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

10/18/2005. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

30. 051723 **[Designating the Committee on Parades]**
Supervisor Peskin
Motion designating the City Operations and Neighborhood Services Committee of the Board of Supervisors as the Committee on Parades.

10/18/2005. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

31. 051727 **[Urging Commemoration of Harvey Milk Stamp]**
Supervisors Daly, Ammiano, Dufty, Sandoval
Resolution urging the United States Post Master General to issue a commemorative stamp of Harvey Milk.

10/18/2005. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

32. 051728 **[Commending Lights On Afterschool]**
Supervisor Ma
Resolution commending Lights On Afterschool!

10/18/2005. REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

33. 051729 **[Accept-Expend Federal Grant - Department of the Environment]**

Supervisor Ma

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $25,000 from the Environmental Protection Agency Aging Initiative to reduce seniors' exposure to environmental hazards, increase senior participation in free and low cost toxic reduction programs currently being offered by the City and to work with seniors and senior networks to conduct outreach and education efforts to seniors by seniors.

10/18/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

34. 051730 **[Commending the San Francisco Health Plan]**

Supervisor Maxwell

Resolution commending the San Francisco Health Plan for their commitment and dedication to the residents of the City.

10/18/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

35. 051731 **[Proclaiming November 2005 as Lung Cancer Awareness Month in San Francisco]**

Supervisor Maxwell

Resolution proclaiming November 2005 as Lung Cancer Awareness Month in San Francisco.

10/18/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

36. 051733 **[Acceptance of a monetary gift - Recreation and Park Department]**

Supervisor Maxwell

Resolution approving the acceptance of a monetary gift of $53,075 from Michael Lanza to the Recreation and Park Department to fund improvements for the Arkansas Friendship Community Garden and a pathway at Potrero Hill Playground, and to support recreational programs at Potrero Hill Recreation Center.

10/18/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

37. 051734 **[Grant of Federal Funds - Municipal Transportation Agency]**

Supervisor Maxwell

Resolution authorizing the Municipal Transportation Agency to accept and expend $23,600 of Section 115 funds from the Federal Transit Administration for the Municipal Railway's Radio System Replacement and Third Street Phase 1 projects, excluding administrative overhead costs.

10/18/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

38. 051735 **[Accept-Expend Federal Grant - Department of the Environment]**
Supervisor Mirkarimi
Resolution authorizing the Department of the Environment to accept and expend grant funds in the amount of $15,000 from the Environmental Protection Agency (EPA) for the ongoing development of a database to track municipal green building projects and their environmental benefits to the City and County of San Francisco and disseminate information about the database to stakeholders.

10/18/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

39. 051736 **[Home Care and Hospice Day]**
Supervisor Peskin
Resolution commending the San Francisco Bay Area Regional Council of Home Care Providers, and declaring November 9, 2005, Home Care and Hospice Day in San Francisco.

10/18/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 051738 **[Commending Plant*SF, Sidewalk Pocket Park Gardens]**
Supervisor Ammiano
Resolution commending the work of Plant*SF, Sidewalk Pocket Park Gardens and other projects that promote community-based permeable landscaping and public open-space gardens located on public rights-of-way.

10/18/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

41. 051712 **[Needle Exchange Emergency]**
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

10/18/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

42. 051732 **[Committee of the Whole - November 1, 2005 at 5:30 p.m.]**
Supervisors Maxwell, Mirkarimi
Motion scheduling a Committee of the Whole on November 1, 2005, at 5:30 p.m. to hold a hearing to discuss the City's plan to end gun and gang violence in San Francisco.

10/18/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

43. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

051654 **[Settlement of Lawsuit - Deaf Counseling Advocacy and Referral Agency, et al.]**
Ordinance authorizing settlement of the lawsuit filed by Deaf Counseling Advocacy and Referral Agency, et al., against the City and County of San Francisco, et al. for an agreement to make certain disability access improvements at the San Francisco International Airport, and by the payment of $40,000 in damages, $235,000 in attorney's fees, and $14,500 in costs; the lawsuit was filed on April 17, 2002, in US District Court (Case No C02-1844 MEJ).
(City Attorney)

10/11/2005, RECEIVED AND ASSIGNED to Rules Committee.

051759 **[Rewards to Informants (Real Estate Watchdogs) for Information Related to the Detection of Underpayment of Property Tax]**
Ordinance amending Chapter 10 of the San Francisco Administrative Code by adding Sections 10.177-2 and 10.177-3, authorizing the Assessor to recommend rewards for information related to the detection of underpayment of tax owed to the City and County of San Francisco.
(Assessor-Recorder)

10/17/2005, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 11/24/2005.

PROPOSED RESOLUTIONS

There were none

051765 **[Petition and Communications]**

Petitions and Communications received from October 8, 2005 through October 17, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on October 25, 2005.

From St. Luke's Hospital foundation, regarding Resolution and Hearing on the implications of the Affiliation Agreement between the Boards of Directors of St. Luke's Hospital and California Pacific Medical Center. File No. 051626, Copy: Budget and Finance Committee Members. (1)

From concerned citizens, opposing the proposed demolition of the house and tree removal located at 1070 Sanchez Street. File No. 051627, Copy: Each Supervisor. Received 6 Letters. (2)

From Tracey Hughes, supporting proposed Ordinance to address removal, maintenance, and nomination of significant trees. File No. 050689, Copy: Each Supervisor. (3)

From concerned citizens, supporting passage of proposed legislation that would require food establishments selling fish and canned fish to provide Proposition 65 warning labels in English, Spanish, and Chinese. File No. 050253. Received 5 letters. (4)

From concerned citizens, submitting support for the request made by Guide Dogs for the Blind and others to enforce leash laws at the Golden Gate National Recreation Area. Received 172 letters. (5)

From concerned citizens, urging the Board of Supervisors to do what it can to help Susan Cervantes from being evicted from her rented family home of 35 years, located at 398 Precita Avenue. Received 2 letters. (6)

From DJ Pini, submitting information on how San Francisco coped with the great flu epidemic of 1918. (7)

From Human Services Agency, submitting response to inquiry regarding the fire at 359 Capp Street. (Reference No. 20050920-017), Copy: Supervisor Ammiano. (8)

From Jim Wachob, submitting invitation to a panel discussion on Northern Ireland on Thursday, October 13, 2005, at San Francisco's United Irish Cultural Center. Copy: Supervisor Elsbernd. (9)

From Law Offices of Julian T. Lastowski, submitting copy of letter sent to Daniel Bornstein, Esq., regarding alleged unfair business practices, harassment, and continuing attempted wrongful eviction. Copy: Each Supervisor. (10)

From Patrick Missud, regarding parking citations received in front of his residence. (11)

From Mercy Housing California, advising they are submitting a Multifamily Housing Program application to the CA Housing & Community Development Department requesting $10,500,000 for 10th and Mission Family Housing. Copy: Each Supervisor. (12)

From Law Offices of Stephen M. Williams, requesting a continuance of the Appeal of Categorical Exemption for 2642 & 2644 Hyde Street till November 22, 2005. Copy: Each Supervisor and City Attorney. (13)

From City of Pittsburgh, submitting Public Notice of upcoming Environmental Scoping Meeting. Preparation of Environment Impact Report, and Request for Comments for the proposed Trans Bay Cable Project, to be held October 19, 2005 at 7:00 p.m. in the City Council Chambers, City Hall, 65 Civic Avenue, Pittsburg, CA. (14)

From Suzanne Foster, submitting a copy of letter to TIDA Board of Directors regarding the TIDA staff and the dismissal of Executive Director Tony Hall. (15)

From Municipal Transportation Agency, submitting the listing from the Department of Parking and Traffic of tow refunds for the fourth quarter of FY 04-05. (16)

From Public Utilities Commission, submitting notification that a 12B Waiver has been forwarded to the Human Rights Commission requesting Ross Valve Mtg. Co., Inc. be granted a 12B Waiver. (17)

From Office of the Controller, submitting report concerning the financial audit of the San Francisco Children and Families Commission for the fiscal year ended June 30, 2005. (18)

From San Francisco Film Commission, submitting a copy of a response to a citizen regarding the filming of Pursuit of Happiness at Duboce Park. Copy: Each Supervisor. (19)

From Mark Scheuer, Friends of Duboce Park, submitting a copy of response to citizen regarding community involvement in the filming of Pursuit of Happiness at Duboce Park. (20)

From Department of Public Works, submitting response to inquiry requesting a report on the status of repairing the pothole at 1150 Stanyan Street. (Reference No. 20050906-008), Copy: Supervisor Mirkarimi. (21)

From Department of Public Works, submitting response to inquiry requesting a report on the status of repairing the pothole on Webster Street, between the intersection of Bush Street and 1814 Webster Street. (Reference No. 20050913-005), Copy: Supervisor Mirkarimi. (22)

From Department of Public Works, submitting response to inquiry requesting a report on the status of repairing the pothole at 1572 – 8th Avenue. (Reference No. 20050920-008), Copy: Supervisor Mirkarimi. (23)

From Department of Public Works, submitting response to inquiry requesting a report on the status of a sidewalk repair near the curb cut on the southwest corner of California and Divisadero Streets. (Reference No. 20050726-005), Copy: Supervisor Mirkarimi. (24)

From: Department of Public Works, submitting response to inquiry requesting a report on the status of removing the trash bags on Clayton Street, between Haight Street and Waller Street, and tree branches and other yard waste at the corner of Clayton and Waller. (Reference No. 20050927-001), Copy: Supervisor Mirkarimi. (25)

From Department of Public Health, submitting response to inquiry requesting a full investigation of the recent fire at 359 Capp Street. (Reference No. 20050920-016), Copy: Supervisor Ammiano. (26)

From concerned citizens, expressing concerns regarding the noise and disruption the Blue Angels cause flying over the City. Received 3 letters. (27)

From Department of Recreation and Park, submitting response to inquiry requesting the Department of Recreation and Park to consider revising the Camp Mather Application due date. (Reference No. 20050802-005), Copy: Supervisor Dufty. (28)

From Law Offices of Stephen M. Williams, submitting Appeal of Categorical Exemption form - Environmental Review for 733 – 27th Avenue. Copy: Each Supervisor. (29)

From Office of the Treasurer, submitting report detailing the City's investment portfolio as of September 30, 2005. (30)

From Matthew A. Brennan, Attorney at Law, submitting an appeal of the disapproval by the Department of Public Works, Bureau of Street-Use and Mapping for 901 Bush Street. Copy: Each Supervisor. (31)

From Luce Forward, Attorney at Law, submitting objection to request for continuance of the hearing scheduled for October 18, 2005 regarding Appeal of Issuance of A Certificate of Categorical Exemption for 1070 Sanchez Street. File No. 051627, Copy: Each Supervisor and City Attorney. (32)

From concerned citizens, submitting opposition to the proposed new shopping mall on the waterfront. File No. 051603, Received 3 letters. Copy: Each Supervisor. (33)

From 16th & Mission Community Public Safety mini-Task Force, submitting support for the concept of creating standards of performance for off-sale alcohol outlets in San Francisco. Copy: Supervisor Maxwell. (34)

From concerned citizens, submitting opposition to proposed Resolution urging the Civil Service Commission and the Department of Human Resources to review current policies and procedures where appropriate so that people who have been in prison or convicted of criminal activity are not unreasonably denied City employment. File No. 051638. Received 2 letters, Copy: Each Supervisor. (35)

From concerned citizens, submitting support for proposed Resolution urging the Civil Service Commission and the Department of Human Resources to review current policies and procedures where appropriate so that people who have been in prison or convicted of criminal activity are not unreasonably denied City employment. File No. 051638. Received 3 letters, Copy: Each Supervisor. (36)

From Senate Rules Committee, submitting list of scheduled upcoming Senate & Joint Committee Interim Hearings. (37)

From Jeremy Wolf, concerning the need to resurface 3rd Street, between Harrison and Mission Streets. Copy: Each Supervisor. (38)

From Department of Public Works, submitting copy of e-mail, responding to citizen request to resurface 3rd Street. Copy: Each Supervisor. (39)

From Department of Building Inspection, advising that beginning late October, they will begin testing on garage door assemblies relating to the research on garage doors as seismic force resisting elements. (40)

From Michael Berke, concerning parking in the neighborhood since the opening of the DeYoung Museum. Copy: Supervisor McGoldrick. (41)

From Sharon May, concerning cable not being available in a 2 block area on Borica and Corona Streets. Copy: Supervisor Elsbernd. (42)

From Matthew Ho, opposing the proposed undergrounding project on Taraval Street. (43)

From concerned citizens, opposing the proposed Home Depot project on Bayshore Blvd. File No. 051446, Copy: Each Supervisor. Received 2 letters. (44)

From Ron Wren, expressing opinions regarding George Galloway, Member of Britain's Parliament, visit to the City. (45)

From Gloria L. Young, Clerk of the Board, submitting copy of Memorandum regarding San Francisco Police Commission Vacancy. Copy: Each Supervisor. (46)

From Dare to Dream Attendant Services, LLC, regarding proposal for an emergency on-call attendant service for people with disabilities and seniors. Copy: Each Supervisor. (47)

From concerned citizen, concerning noise caused by DPW's pressure washing trucks in the area of Jones and Leavenworth Streets. Copy: Department of Public Works. (48)

From Round the Diamond, regarding Port of San Francisco Proposed Piers 27-31 Mixed Use Recreation Project Fiscal Feasibility. File No. 051603, Copy: Each Supervisor. (49)

From concerned citizens, expressing concerns regarding proposition H, Firearm Ban. Received 2 letters. Copy: Each Supervisor. (50)

From John Schambre, expressing concerns regarding MUNI not having sufficient stock of parts to repair buses that break down. (51)

From Florence Fung, submitting copies of several letters to various City departments regarding alleged damage caused to her property due to the West Portal Public Library Project. (52)

From Department of Alcoholic Beverage Control, submitting application for exchange of Liquor License located at 56 Belden St. (53)

From Neil Signo, commenting on news stories about the war in Iraq/Iran and a pumpkin patch that was vandalized in Half Moon Bay. (54)

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised

October 20, 2005

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Ordinance amendment Subdivision Code regarding Planning Commission hearings on condominium conversions	051637	Land Use Committee	Supervisor Daly	9/27/05	10/27/05
Ordinance adding to the Administrative Code regarding office of Labor Standards Enforcement	051652	Rules Committee	Supervisor Ammiano	9/27/05	10/27/05
Ordinance amending Planning Code to expand the application of the Inclusionary Affordable Housing Program to include buildings of 5 units or more	051668	Land Use Committee	Supervisor McGoldrick	10/11/05	11/11/05
Ordinance amending Planning Code to provide limited full service restaurants and bars – Noe Valley Neighborhood Commerical District	051676	Land Use Committee	Supervisor Dufty	10/11/05	11/11/05
Ordinance amending SF Administrative Code relating to Better Streets Policy	051715	Land Use Committee	Mayor, Supervisor McGoldrick	10/18/05	11/18/05
Ordinance amending SF Police Code relating to limousines operating as unlicensed taxicabs, inspection of limousine waybills; criminal and administrative penalties	051720	City Operations and Neighborhood Services Committee	Supervisor Elsbernd	10/18/05	11/18/05
Ordinance amending SF Administrative Code relating to personal services minimum contractual rate ordinance	051724	Government Audit and Oversight Committee	Supervisor Daly	10/18/05	11/18/05

Ordinance amending Chapter 10 of the San Francisco Administrative Code by adding Sections 10.177-2 and 10.177-3, authorizing the Assessor to recommend rewards for information related to the detection of underpayment of tax owed to the City and County of San Francisco.	051759	Budget & Finance Committee	Assessor/Recorder	10/18/05	11/18/05

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT
OCT 28 2005
SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, November 1, 2005 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Ammiano, Mirkarimi, Elsbernd	Thursday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Peskin, Elsbernd, Daly	2nd and 4th Monday 1:00 PM
Land Use Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Alioto-Pier, Mirkarimi, Peskin	Wednesday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 9

Recommendations of the Rules Committee

Present: Supervisors Mirkarimi, Peskin

1. 051354 **[Settlement of Lawsuit - George Q. Chen]**
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against George Q. Chen, for a payment to the Airport in the amount of $113,800.00, and on certain other terms; the lawsuit was filed on December 1, 2003, in United States Bankruptcy Court for the Northern District of California, Adversary Case No. 03-3713 DM and entitled City and County of San Francisco v. George Q. Chen.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

2. 051583 **[Settlement of Lawsuit - Frederick Meiswinkel, Inc. v. Hunt Construction Group, et. al]**
Ordinance authorizing settlement of the lawsuit filed by Frederick Meiswinkel, Inc. for $1,800,000 against the Hunt Construction Group, Inc. and Hunt cross-complaint against the City and County of San Francisco seeking indemnity from the claims brought by Meiswinkel; the lawsuit was filed on March 2, 2004 in San Francisco Superior Court, Case No. CGC –04-429249; entitled, Frederick Meiswinkel, Inc. v. Hunt Construction Group, et. al; other material terms of said settlement are nonmaterial terms.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

3. 051584 **[Settlement of Lawsuit - Kaiser Foundation Hospitals]**
Ordinance authorizing settlement of the lawsuit filed by Kaiser Foundation Hospitals against the City and County of San Francisco for $67,500.00; the lawsuit was filed on May 4, 2005 in San Francisco Superior Court, Case No. 429-909; entitled Kaiser Foundation Hospitals v. City and County of San Francisco.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

4. 051598 **[Settlement of Lawsuit - King C. Electric, Inc.]**
Ordinance authorizing settlement of the lawsuit filed by King C. Electric, Inc. against the City and County of San Francisco according to the following terms: a) King C. Electric, Inc. ("KCE") pays one hundred nine thousand one hundred eighty-five dollars and ninety-three cents ($109,185.93) to the City; b) the City pays seventy-eight thousand nine hundred eighty-three dollars and twenty-one cents ($78,983.21) to KCE; and c) KCE is debarred from performing construction contracts on City-owned projects for two and a half years. The lawsuit was filed on April 14, 2004 in the Superior Court of the City and County of San Francisco, Case No. CGC-o4-430671; entitled King C. Electric, Inc. v. City and County of San Francisco et al. and related cross-action.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

5. 051654 **[Settlement of Lawsuit - Deaf Counseling Advocacy and Referral Agency, et al.]**
Ordinance authorizing settlement of the lawsuit filed by Deaf Counseling Advocacy and Referral Agency, et al., against the City and County of San Francisco, et al. for an agreement to make certain disability access improvements at the San Francisco International Airport, and by the payment of $40,000 in damages, $235,000 in attorney's fees, and $14,500 in costs; the lawsuit was filed on April 17, 2002, in US District Court (Case No C02-1844 MEJ).
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

6. 051661 **[Settlement of Lawsuit - Walter Reed]**
Ordinance authorizing the settlement of a lawsuit filed by Walter Reed against the City and County of San Francisco for $36,000.00; the lawsuit was filed on December 15, 2003, in San Francisco Superior Court, Case No. 414322, entitled Walter Reed v. City and County of San Francisco, et al.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

7. 051660 **[Settlement of Claim - Louis Vuitton, Inc.]**
Resolution approving the settlement of the unlitigated claim filed by Louis Vuitton, Inc., against City and County of San Francisco for $93,000.00.
(City Attorney)

Question: Shall this Resolution be ADOPTED?

8. 051716 **[Settlement of Unlitigated Claim - The Hertz Corporation]**
Supervisor Ammiano
Resolution authorizing settlement of an unlitigated claim with The Hertz Corporation, for a payment to the City in the amount of $250,000.00, and on certain other terms.

Question: Shall this Resolution be ADOPTED?

9. 051749 **[Appointment - San Francisco Museum and Historical Society Advisory Committee]**
Resolution appointing Susan Stryker and Philip Choy, terms ending December 16, 2005 and Charles Striplen, term ending April 21, 2006, to the San Francisco Museum and Historical Society Advisory Committee, residency requirement waived.
Susan Stryker, succeeding herself, term expired, seat 1, must be a member of the public from historical organizations including, but not limited to, organizations focused on the history of ethnic or racial minorities, sexual orientations, gender or any of the various other cultural communities within San Francisco, for the unexpired portion of a one-year term ending December 16, 2005.

Philip Choy, succeeding himself, term expired, seat 2, must be a member of the public from historical organizations including, but not limited to, organizations focused on the history of ethnic or racial minorities, sexual orientations, gender or any of the various other cultural communities within San Francisco, for the unexpired portion of a one-year term ending December 16, 2005.

Charles Striplen (residency requirement waived), succeeding himself, term expired, seat 3, must be a member from organizations or communities with extensive knowledge of the history or cultural traditions of an ethnic minority community within San Francisco with a focus on ancestral lineage or other historical and cultural links to the San Francisco Bay Area, for the unexpired portion of a one-year term ending April 21, 2006.

Question: Shall this Resolution be ADOPTED?

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:*_____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

10. 051744 **[Adopting findings related to affirming the categorical exemption for 755-22nd Avenue]**
Motion adopting findings affirming the determination by the Planning Department that the 1070 Sanchez Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

10/24/2005, REFERRED to Board of Supervisors.
Question: Shall this Motion be APPROVED?

From the Board

(Only one of the following two motions should be adopted.)

11. 051446 **[Affirm certification of 491 Bayshore Boulevard (Home Depot) FEIR]**
Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 491 Bayshore Boulevard (Home Depot) Project.
(Clerk of the Board)

9/27/2005, CONTINUED. Continued to October 25, 2005
10/25/2005, CONTINUED. Continued to November 1, 2005
Question: Shall this Motion be APPROVED?

12. 051447 **[Disapprove certification of 491 Bayshore Boulevard (Home Depot) FEIR]**
Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the 491 Bayshore Boulevard (Home Depot) Project.
(Clerk of the Board)

9/27/2005, CONTINUED. Continued to October 25, 2005
10/25/2005, CONTINUED. Continued to November 1, 2005
Question: Shall this Motion be APPROVED?

13. 051448 **[Preparation of findings to disapprove certification of 491 Bayshore Boulevard (Home Depot) FEIR]**

Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the 491 Bayshore Boulevard (Home Depot) Project.
(Clerk of the Board)

9/27/2005, CONTINUED. Continued to October 25, 2005
10/25/2005, CONTINUED. Continued to November 1, 2005
Question: Shall this Motion be APPROVED?

Recommendation of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

14. 050922 **[Payroll Expense Tax Exclusion for qualified clean energy technology businesses]**
Supervisors McGoldrick, Alioto-Pier, Mirkarimi, Elsbernd, Ma, Sandoval

Ordinance amending the Payroll Expense Tax Ordinance to establish a tax exclusion for qualified clean energy technology businesses, as specified.

10/11/2005, CONTINUED. Continued to October 25, 2005
Supervisor Ma requested to be added as a co-sponsor.
10/25/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
10/25/2005, PASSED ON FIRST READING AS AMENDED. Supervisor Sandoval requested to be added as a co-sponsor.
Question: Shall this Ordinance be FINALLY PASSED?

From the Budget and Finance Committee Without Recommendation

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

15. 051599 **[Official Advertising - Type 1 for Consecutive Day Publication and Type 2 for Non-Consecutive Day Publication]**

Resolution designating the San Francisco Chronicle and Examiner to be the official newspapers of the City and County of San Francisco for the category of Type 1 consecutive day, and Type 2 non consecutive day official advertising services for the fiscal year commencing upon Board of Supervisors and Mayoral approval and ending June 30, 2006.
(Office of Contract Administration)

10/25/2005, CONTINUED. Continued to November 1, 2005
Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty

16. 050253 [Proposition 65 Ordinance - Safe Drinking Water and Toxic Enforcement Act of 1986]
Supervisor Mirkarimi

Ordinance amending the San Francisco Health Code by adding Section 456.6, to require the Department of Public Health to Enforce the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65) and its implementing regulations and to require certain food establishments to provide Proposition 65 warnings in English, Spanish, and Chinese.

10/11/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
10/11/2005, CONTINUED. Continued as amended to October 18, 2005
10/18/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
10/18/2005, PASSED ON FIRST READING AS AMENDED.
10/25/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
10/25/2005, PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors McGoldrick, Dufty, Ma

17. 051458 [Public Works Code - landmark trees and penalties for violations]
Supervisor McGoldrick

Ordinance amending the Public Works Code by amending Section 802 to modify various definitions; amending Sections 802, 806, and 809 to redefine nuisance trees as hazard trees; amending Sections 802 and 803 authorizing the Urban Forestry Council to succeed to the powers and duties of the Tree Advisory Board; amending Sections 804, 807, 808, and 810 concerning landmark trees and procedures to designate, nominate, and remove landmark trees; amending Section 811 to create civil penalties and fines and to modify provisions on administrative penalties; and making environmental findings.

9/27/2005, CONTINUED. Continued to October 11, 2005
10/11/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
10/11/2005, CONTINUED. Continued as amended to October 18, 2005
10/18/2005, CONTINUED. Continued to November 1, 2005
Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

18. 051460 **[Subdivision Code fees]**
Supervisor Dufty
Ordinance amending the Subdivision Code section 1315 to adopt new fees for air space maps, lot subdivisions, condominium conversions, parcel maps, lot merger and resubdivision maps, amended maps, lot line adjustments, lot mergers, certificates of compliance, certificates of correction, records of survey, and other mapping actions and to provide for an annual adjustment of such fees based on the relevant consumer price index; and making environmental findings.

9/27/2005, SUBSTITUTED. Supervisor Dufty submitted a substitute ordinance bearing new title.

Question: Shall this Ordinance be PASSED ON FIRST READING?

19. 051461 **[Survey Monument Preservation Fee and Fund]**
Supervisor Dufty
Ordinance amending the San Francisco Administrative Code by adding Section 8.24-6, to authorize the imposition of a $10 grant deed recordation user fee and by adding Section 10.100-50, to create the County Surveyor's Survey Monument Preservation Fund for the deposit and collection of the fee for use by the County Surveyor for the retracement or remonument survey of major historical vertical or horizontal land division lines; amending the San Francisco Subdivision Code by adding Section 1340.1, to authorize the County Surveyor to use the proceeds collected from imposition of the fee to pay for the retracement or remonument survey of major historical vertical or horizontal land division lines; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

20. 051585 **[Acceptance of Subsurface Easement at 2-4 Winfield Street]**
Resolution authorizing the acceptance of a permanent subsurface easement at 2-4 Winfield Street, Assessor's Block 5611, Lot 001 for tie-back rods connected to a City-constructed retaining wall. (Real Estate Department)

Question: Shall this Resolution be ADOPTED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Elsbernd

21. 051414 **[Board review required for annual or otherwise recurring grant applications of $5,000,000 or more]**
Supervisor Maxwell
Ordinance amending Section 10.170 of the Administrative Code to require Board review of proposed annual or otherwise recurring grant applications of $5,000,000 or more prior to their submission.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

22. 051508 **[Establishing a Visitacion Valley Community Facilities and Infrastructure Fee and Fund]**
Supervisor Maxwell
Ordinance adding Planning Code Sections 319 through 319.7 to impose a $4.58 per square foot fee on new residential development in the Visitacion Valley area, to establish a Visitacion Valley Community Facilities and Infrastructure Fund to mitigate impacts from residential development on public infrastructure in Visitacion Valley including libraries, streets, playgrounds, recreational facilities, and community centers, and making findings including findings under the California Environmental Quality Act.

Question: Shall this Ordinance be PASSED ON FIRST READING?

23. 051509 **[General Plan Amendment in connection with the Executive Park -- Candlestick Cove Project]**
Supervisor Maxwell
Ordinance amending the San Francisco General Plan in connection with approvals for the proposed Executive Park -- Candlestick Cove Project; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the General Plan amendment is consistent with the General Plan and the eight Priority Policies of Planning Code Section 101.1.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

24. 051357 **[Requiring the Office of Emergency Services to submit a written report following any declared emergency, activation of the City's Emergency Operations Center, or credible disaster warning]**
Supervisor Mirkarimi
Ordinance amending the San Francisco Administrative Code by adding Section 7.4-1, to require the Office of Emergency Services to submit a written report to the Disaster Council and the Board of Supervisors following any declared emergency, activation of the City's Emergency Operations Center, or credible disaster warning.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:00 P.M

25. **051399** **[Public Hearing - Street Vacation Order, Portions of Fourth Street]**
Hearing of persons interested in or objecting to proposed ordinance ordering the vacation of two (2) portions of Fourth Street from Third Street north to Channel Street; authorizing a grant in fee title of the City and County of San Francisco's rights and interest in the vacated areas to FOCIL; authorizing reservations of certain utility easements in the vacated areas; adopting findings that such vacation of Fourth Street is consistent with the City General Plan and eight policies of City Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan; adopting findings pursuant to the California Environmental Quality Act (CEQA); accepting Department of Public Works Order No. 175,536; and authorizing official acts in connection with this Ordinance.
(Clerk of the Board)

Action:_____

From the Land Use Committee Without Recommendation

Present: Supervisors Maxwell, Sandoval, McGoldrick

26. **051398** **[Mission Bay South – Ordering Street Vacation of portions of Fourth Street]**
Ordinance ordering the vacation of two (2) portions of Fourth Street from Third Street north to Channel Street; authorizing a grant in fee title of the City and County of San Francisco's rights and interest in the vacated areas to FOCIL; authorizing reservations of certain utility easements in the vacated areas; adopting findings that such vacation of Fourth Street is consistent with the City General Plan and eight policies of City Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan; adopting findings pursuant to the California Environmental Quality Act (CEQA); accepting Department of Public Works Order No. 175,536; and authorizing official acts in connection with this Ordinance.
(Public Works Department)

9/27/2005, AMENDED. Amended to replace "4:00 p.m." with "3:00 p.m."

9/27/2005, CONTINUED. Continued to November 1, 2005 for a public hearing at 3:00 p.m.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES

Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

27. 051751 **[Public Hearing - Appeal of Tentative Parcel Map for 901 Bush Street]**

Hearing of persons interested in or objecting to the decision of the Department of Public Works dated October 6, 2005 (Condominium Application No. 2005.0333Q), disapproving a proposed Tentative Parcel Map to legalize the construction of a 38-unit new condominium at 901 Bush Street, Southwest corner at Taylor Street, San Francisco, Lot 001 in Assessor's Block 0282. (Appellant: Matthew A. Brennan, Esq., on behalf of property owners (M-J SF Investments, LLC).

(Filed 10/13/04; companion measure to Files 051752, 051753, 051754; District 3.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Parcel Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

28. 051752 **[Approving decision of the Director of Public Works and disapproving Tentative Parcel Map for 901 Bush Street]**

Motion approving decision of the Director of Public Works, and disapproving Tentative Parcel Map to legalize the proposed construction of a 38-unit condominium located at 901 Bush Street, Lot 001 in Assessor's Block 0282.

(Clerk of the Board)

Question: Shall this Motion be APPROVED?

29. **051753** **[Disapproving decision of the Director of Public Works and approving Tentative Parcel Map for 901 Bush Street]**

Motion disapproving decision of the Director of Public Works, and approving Tentative Parcel Map to legalize the proposed construction of a 38-unit new condominium located at 901 Bush Street, Lot 001 in Assessor's Block 0282.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

30. **051754** **[Findings - 901 Bush Street]**

Motion directing the Clerk of the Board to prepare findings relating to Tentative Parcel Map to legalize the proposed construction of a 38-unit condominium located at 901 Bush Street, Lot 001 in Assessor's Block 0282.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 5:30 P.M.

Board of Supervisors Sitting as a Committee of the Whole

31. **051739** **[Committee of the Whole - City's plan to end gun and gang violence in San Francisco]**

Hearing to consider the City's plan to end gun and gang violence in San Francisco.

Action:_____

32. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

33. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 34 through 38

34. 051774 **[Gift to the Recreation and Park Department]**
Supervisor Alioto-Pier
Resolution accepting and expending a gift valued at up to $16,000,000 from the Maybeck Foundation to the Recreation and Park Department for capital improvements to the Palace of Fine Arts.

10/25/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

35. 051775 **["Dr. Cynthia Maung Day" on November 6, 2005]**
Supervisor Ammiano
Resolution declaring "Dr. Cynthia Maung Day" on her visit to the City and County of San Francisco on November 6, 2005.

10/25/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

36. 051776 **[Declaring October 25, 2005 as "Alan Heineman Day" in the City and County of San Francisco]**
Supervisor McGoldrick
Resolution honoring Alan Heineman and declaring October 25, 2005 as "Alan Heineman Day" in the City and County of San Francisco.

10/25/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

37. 051777 **[Delay local implementation of the State's cannabis identification card system]**
Supervisor Mirkarimi
Resolution urging the Director of Health to delay local implementation of the State's cannabis identification card program until patients, advocates and City and State Legislators have sufficient time to petition the State Health Department to modify its card program protocols to better protect the anonymity of patients and caregivers, and physicians can be informed of their new obligations under the State card program.

10/25/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

38. **051746** **[Final Map, Planned Development, Mission Bay (200-400 Berry Street)]**

Motion approving Final Map, Planned Development, Mission Bay (Block N4), a five (5) lot subdivision, being a Planned Development of Assessor's Block 8704, Lots 1 and 2; approving a public improvement agreement related to the final map; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 and the Mission Bay North Redevelopment Plan and Plan Documents.

(Public Works Department)

(DPW Order No. 175,686; District 6.)

10/24/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

39. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from October 18, 2005 through October 24, 2005, for reference by President to appropriate committee on November 1, 2005.

051745 **[Settlement of Lawsuit - Dazell Mallory]**
Ordinance authorizing settlement of the lawsuit filed by plaintiff Dazell Mallory against the City and County of San Francisco for payment of $53,150, including all damages, attorneys' fees and costs; the lawsuit was filed on February 24, 2005, in San Francisco Superior Court, Case No. 438-930, entitled Dazell Mallory v. San Francisco Public Library, the City and County of San Francisco, and Does 1-100.
(City Attorney)

10/18/2005, RECEIVED AND ASSIGNED to Rules Committee.

051811 **[Settlement of Lawsuit - Lucia Wong]**
Ordinance authorizing settlement of the lawsuit filed by Lucia Wong against the City and County of San Francisco for $440,000; the lawsuit was filed on May 5, 2004 in San Francisco Superior Court, Case No. 431-126 and waiver of San Francisco General Hospital lien.
(City Attorney)

10/24/2005, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from October 18, 2005 through October 24, 2005, for reference by President to appropriate committee on November 1, 2005.

051805 **[STOP and YIELD Intersections]**
Resolution designating certain intersections as "STOP" or "YIELD" intersections.

STOP SIGNS - ESTABLISH
19th Street and Rhode Island Street, stopping 19th Street at Rhode Island Street, making this uncontrolled T-intersection a One-Way STOP.
Leese Street and Richland Avenue, stopping Richard Avenue at Lesse Street, making this an All-Way STOP.
28th Avenue and Lake Street, stopping the northern intersection of 28th Avenue at Lake Street, making this intersection an All-Way STOP.

YIELD SIGN – ESTABLISH
San Bruno Avenue, southbound, merging onto Bayshore Boulevard, south of Arleta Avenue.
(Parking and Traffic Department)
(10/19/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3078.)

10/19/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051806 **[Parking Regulations]**
Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Hillway Avenue, east side, from Carl Street to the north property line of #40 Hillway Avenue.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Hillway Avenue, east side, between Carl Street and Parnassus Avenue.

PARKING METERS, 1-HR. TIME LIMIT - RESCIND
PARKING METERS, 2-HR. TIME LIMIT - ESTABLISH
20th Avenue, parking lot on west side, between Irving Street and Lincoln Way.
(Parking and Traffic Department)
(10/19/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3078.)

10/19/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051807 **[Traffic Regulations]**
Resolution enacting and rescinding traffic regulations on various streets.

NO TURN ON RED - ESTABLISH
Franklin Street, northbound, at Fell Street.
(Parking and Traffic Department)
(10/19/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3078.)

10/19/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051810 **[Lease of Real Property at 1390 Market Street]**
Resolution authorizing the renewal and expansion of a lease at 1390 Market Street for the Department of Children, Youth and their Families.
(Real Estate Department)

10/24/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051816 **[Petitions and Communications]**

Petitions and Communications received from October 18, 2005 through October 24, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on November 1, 2005.

From Anna Shimko on Behalf of Home Depot, submitting summary of key points concerning the proposed Home Depot store on Bayshore Boulevard. File 051445, Copy: Each Supervisor (1)

From Planning Department, submitting an Executive Summary of the Final Environmental Impact Report for 491 Bayshore Boulevard, Home Depot. File 051445, Copy: Each Supervisor (2)

From Wendy Ai-Phi Van, submitting request for a type 21 (off-sale) liquor license for Wendy Ai-Phi Van dba D & M Liquor Mart located at 4715 Geary Boulevard. (3)

From Linda Gago-Seco, submitting request for a type 42 (on-sale beer and wine public premises) liquor license for Sirhed Enterprises, LLC dba Gallery Market on Union Square located at 222 Powell Street. (4)

From Deputy Clerk of the Board, submitting report on the 2004-2005 Civil Grand Jury Report "Continuity Report." (5)

From Cingular Wireless, submitting notification letter of intent to construct a cellular facility at 2145 19th Avenue. (6)

From concerned citizens, submitting support for opening a Home Depot store on Bayshore Boulevard. File 051445, Copy: Each Supervisor (7)

From concerned citizens, urging full enforcement of the "Leash Law" in the Golden Gate National Recreation Area. (8)

From Vice Chancellor of Finance and Administration, San Francisco Community College District, submitting notice of offer to sell real property located at 49-55 Columbus Avenue. (9)

From Coalition for San Francisco Neighborhoods, submitting copy of resolution adopted by the Coalition for San Francisco Neighborhoods regarding Medical Cannabis Guidelines. (10)

From Recreation and Park Department, responding to inquiry regarding the implementation of the No-Smoking Ordinance and 2) the status of and time table for planning and construction for the Moscone Recreation Center renovation and retrofit. (Reference Nos. 20050920-010 and 20050920-020) Copy: Supervisor Alioto-Pier (11)

From Department of Public Works, submitting notice that appellant's signatures with respect to 1353-1355 Bush Street represent owners of more than 20% of the area involved and is therefore sufficient for appeal. File 051751 (12)

From Board of Supervisors, County of Tuolumne, submitting copy of letter sent to the Planning Department regarding SFPUC's Water System Improvement Program. File 051681, Copy: Supervisors McGoldrick, Dufty and Ma (13)

From Department of Parking and Traffic, regarding the feasibility of establishing an all-way Stop at the intersection of Fulton and Pierce Streets. (Reference No. 20050726-003) Copy: Supervisor Mirkarimi (14)

From Denise D'Anne, submitting copy of letter sent to Municipal Railway, regarding her recent unpleasant experience with a Muni bus driver on the 22 Fillmore bus. (15)

From Department of Public Works, concerning posting of notices for proposed street vacation at Fourth Street between Channel and Third Streets. File 051398 (16)

From Jeff Mainville, regarding the unprofessional behavior of a Stacy and Witbeck employee working at Sixth and Howard Streets. Copy: Supervisor Daly (17)

From Valerie Mark, urging the Mayor and the Board of Supervisors to do whatever is possible to get California Pacific Medical Center back to the bargaining table to end the strike. Copy: Each Supervisor (18)

From Cingular Wireless, submitting notification letter of intent to construct a cellular facility at 3535 Balboa Street, 4051 18th Street, 1747 Church Street and 2118 Fillmore Street. (19)

From Robert Raich, submitting opposition to the Medical Cannabis Dispensary Ordinance. File 051250, Copy: Each Supervisor (20)

From Ocean Avenue Revitalization Collaborative, submitting support for proposed ordinance regulating medical cannabis facilities on Ocean Avenue from 19th Avenue to Phelan Avenue. File 051258, Copy: Each Supervisor (21)

From Americans for Safe Access San Francisco, submitting support for proposed ordinance regulating medical cannabis facilities. File 051250, Copy: Each Supervisor (22)

From Bill Barnes, filing notice of appeal of Categorical Exemption from Environmental Review for proposed legislation relating to Medical Cannabis Dispensary Code Amendments. File 041801 (23)

From Office of the Controller, submitting report regarding the review of CPA's audit of Lori's Diner International, Inc. (24)

From concerned citizens, urging the Board of Supervisors to do whatever is necessary to preserve the majestic Norfolk Pine tree in Noe Valley. File 051627, Copy: Each Supervisor (25)

From Office of Emergency Services and Homeland Security, responding to inquiry regarding preparedness and training of the Director of the Office of Emergency Services and Homeland Security. (Reference No. 20050920-021) Copy: Supervisor Alioto-Pier (26)

From concerned citizens, submitting support for the Fair Oaks Community Coalition's recommendations on medical cannabis dispensaries. File 051250 (27)

From "The World Can't Wait! Drive Out the Bush Regime Organization", appealing decision of the Police Department denying request for a parade permit for November 2, 2005. (28)

From Florence Fung, regarding various issues with the construction of the public library on the 900 block of Ulloa Street. (29)

From Joe Valenciano, regarding the consistent clogging of traffic in front of his residence at 935 Ulloa Street. (30)

From S. F. Chamber of Commerce, requesting proposed ordinance regarding enforcement of the "Safe Drinking Water and Toxic Enforcement Act of 1986" be sent to the S.F. Small Business Commission for further study and public discussion. File 050253, Copy: Each Supervisor (31)

From Alan Silverman, regarding the fiscal feasibility of the San Francisco Small Craft Harbor Renovation Project. File 050644, Copy: Supervisors Peskin, Daly, Elsbernd (32)

From Abdalla Megahed, requesting help in getting back his bed at MSC South shelter. Copy: Each Supervisor (33)

From Jerry Path, submitting opposition to proposed Home Depot on Bayshore Boulevard. File 051445, Copy: Each Supervisor (34)

From concerned citizens, regarding zoning controls in District 10. (35)

From Department of Public Health, submitting the Quarterly AIDS Surveillance Report for Aids cases reported through September 2005. (36)

From Roger Broudar, regarding violent incidents at the opening of the new De Young Museum in Golden Gate Park. (37)

From concerned citizens, regarding regulations for medical cannabis clinics. File 051250, Copy: Each Supervisor (38)

ADJOURNMENT

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

City and County of San Francisco

NOTICE OF PUBLIC HEARING

Board of Supervisors

General Notice Transmitted 10-25-05

A public hearing will be held 11/08/05 at 4:00 PM or as soon as possible after this time, at Legislative Chamber, Rm 250, City Hall, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102

The Board of Supervisors will hold a public hearing relative to the listed subjects. All interested parties are cordially invited to attend. Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.

Mail comments for the Listed Files to: Board of Supervisors, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

051755 Public Hearing - Appeal of Categorical Exemption from Environmental Review for 733 27th Avenue

Hearing of persons interested in or objecting to the decision of the Planning Department dated August 24, 2005, exempting from environmental review under Categorical Exemption [State CEQA Guidelines, Section 15301 (Class 1)] the proposed interior renovations, façade alteration and horizontal and vertical extensions of the existing two-family residence. The existing two-story building is approximately 1,848 feet in size and has one off-street parking space. Upon completion of the proposed project, the building would have two residential units in a three-story, approximately 4,700 square-foot building with two off-street parking spaces in the ground floor garage. The proposed project would result in a horizontal addition that would extend the existing building about six feet to the north property line and 18 feet west into the rear yard and a vertical addition that would add a third floor to the existing building. The project would also include interior renovations and alteration of the façade.

The approximately 3,710 square-foot project site is located at 733 27th Avenue (Assessor's Block 1617, Lot 3), The project is within RH-2 (House, Two-Family) zoning district and within a 40X height and bulk district. (Appellant: Stephen M. Williams representing the neighbors of the above-referenced project.)

Gloria L. Young, Clerk of the Board

NOTE:
Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

DOCUMENTS DEP
OCT 27 2005
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BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.
NOV - 4 2005
SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, November 8, 2005 2:00 PM

Regular Meeting

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90
63
/8/05

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Ammiano, Mirkarimi, Elsbernd	Thursday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Peskin, Elsbernd, Daly	2nd and 4th Monday 1:00 PM
Land Use Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Alioto-Pier, Mirkarimi, Peskin	Wednesday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices. (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Meeting Minutes for October 11, 2005.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 12

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

1. 051460 [Subdivision Code fees]
Supervisor Dufty
Ordinance amending the Subdivision Code section 1315 to adopt new fees for air space maps, lot subdivisions, condominium conversions, parcel maps, lot merger and resubdivision maps, amended maps, lot line adjustments, lot mergers, certificates of compliance, certificates of correction, records of survey, and other mapping actions and to provide for an annual adjustment of such fees based on the relevant consumer price index; and making environmental findings.

9/27/2005, SUBSTITUTED. Supervisor Dufty submitted a substitute ordinance bearing new title.

11/1/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. 051461 [Survey Monument Preservation Fee and Fund]

Supervisor Dufty

Ordinance amending the San Francisco Administrative Code by adding Section 8.24-6, to authorize the imposition of a $10 grant deed recordation user fee and by adding Section 10.100-50, to create the County Surveyor's Survey Monument Preservation Fund for the deposit and collection of the fee for use by the County Surveyor for the retracement or remonument survey of major historical vertical or horizontal land division lines; amending the San Francisco Subdivision Code by adding Section 1340.1, to authorize the County Surveyor to use the proceeds collected from imposition of the fee to pay for the retracement or remonument survey of major historical vertical or horizontal land division lines; and making environmental findings.

11/1/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

3. 051508 [Establishing a Visitacion Valley Community Facilities and Infrastructure Fee and Fund]

Supervisor Maxwell

Ordinance adding Planning Code Sections 319 through 319.7 to impose a $4.58 per square foot fee on new residential development in the Visitacion Valley area, to establish a Visitacion Valley Community Facilities and Infrastructure Fund to mitigate impacts from residential development on public infrastructure in Visitacion Valley including libraries, streets, playgrounds, recreational facilities, and community centers, and making findings including findings under the California Environmental Quality Act.

11/1/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 051509 [General Plan Amendment in connection with the Executive Park -- Candlestick Cove Project]

Supervisor Maxwell

Ordinance amending the San Francisco General Plan in connection with approvals for the proposed Executive Park -- Candlestick Cove Project; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the General Plan amendment is consistent with the General Plan and the eight Priority Policies of Planning Code Section 101.1.

11/1/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

5. 051357 **[Requiring the Office of Emergency Services to submit a written report following any declared emergency, activation of the City's Emergency Operations Center, or credible disaster warning]**
Supervisor Mirkarimi
Ordinance amending the San Francisco Administrative Code by adding Section 7.4-1, to require the Office of Emergency Services to submit a written report to the Disaster Council and the Board of Supervisors following any declared emergency, activation of the City's Emergency Operations Center, or credible disaster warning.

11/1/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Mirkarimi, Peskin

6. 051354 **[Settlement of Lawsuit - George Q. Chen]**
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against George Q. Chen, for a payment to the Airport in the amount of $113,800.00, and on certain other terms; the lawsuit was filed on December 1, 2003, in United States Bankruptcy Court for the Northern District of California, Adversary Case No. 03-3713 DM and entitled City and County of San Francisco v. George Q. Chen.
(City Attorney)

11/1/2005, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

7. 051583 **[Settlement of Lawsuit - Frederick Meiswinkel, Inc. v. Hunt Construction Group, et. al]**
Ordinance authorizing settlement of the lawsuit filed by Frederick Meiswinkel, Inc. for $1,800,000 against the Hunt Construction Group, Inc. and Hunt cross-complaint against the City and County of San Francisco seeking indemnity from the claims brought by Meiswinkel; the lawsuit was filed on March 2, 2004 in San Francisco Superior Court, Case No. CGC –04-429249; entitled, Frederick Meiswinkel, Inc. v. Hunt Construction Group, et. al; other material terms of said settlement are nonmaterial terms.
(City Attorney)

11/1/2005, PASSED, ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

8. 051584 [Settlement of Lawsuit - Kaiser Foundation Hospitals]

Ordinance authorizing settlement of the lawsuit filed by Kaiser Foundation Hospitals against the City and County of San Francisco for $67,500.00; the lawsuit was filed on May 4, 2005 in San Francisco Superior Court, Case No. 429-909; entitled Kaiser Foundation Hospitals v. City and County of San Francisco.
(City Attorney)

11/1/2005, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

9. 051598 [Settlement of Lawsuit - King C. Electric, Inc.]

Ordinance authorizing settlement of the lawsuit filed by King C. Electric, Inc. against the City and County of San Francisco according to the following terms: a) King C. Electric, Inc. ("KCE") pays one hundred nine thousand one hundred eighty-five dollars and ninety-three cents ($109,185.93) to the City; b) the City pays seventy-eight thousand nine hundred eighty-three dollars and twenty-one cents ($78,983.21) to KCE; and c) KCE is debarred from performing construction contracts on City-owned projects for two and a half years. The lawsuit was filed on April 14, 2004 in the Superior Court of the City and County of San Francisco, Case No. CGC-04-430671; entitled King C. Electric, Inc. v. City and County of San Francisco et al. and related cross-action.
(City Attorney)

11/1/2005, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

10. 051654 [Settlement of Lawsuit - Deaf Counseling Advocacy and Referral Agency, et al.]

Ordinance authorizing settlement of the lawsuit filed by Deaf Counseling Advocacy and Referral Agency, et al., against the City and County of San Francisco, et al. for an agreement to make certain disability access improvements at the San Francisco International Airport, and by the payment of $40,000 in damages, $235,000 in attorney's fees, and $14,500 in costs; the lawsuit was filed on April 17, 2002, in US District Court (Case No C02-1844 MEJ).
(City Attorney)

11/1/2005, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

11. 051661 [Settlement of Lawsuit - Walter Reed]

Ordinance authorizing the settlement of a lawsuit filed by Walter Reed against the City and County of San Francisco for $36,000.00; the lawsuit was filed on December 15, 2003, in San Francisco Superior Court, Case No. 414322, entitled Walter Reed v. City and County of San Francisco, et al.
(City Attorney)

11/1/2005, PASSED, ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

12. 051716 [Settlement of Unlitigated Claim - The Hertz Corporation]

Supervisor Ammiano

Resolution authorizing settlement of an unlitigated claim with The Hertz Corporation, for a payment to the City in the amount of $250,000.00, and on certain other terms.

11/1/2005, CONTINUED. Continued to November 8, 2005

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated.

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

13. 051744 **[Adopting findings related to affirming the categorical exemption for 1070 Sanchez Street]**
Motion adopting findings affirming the determination by the Planning Department that the 1070 Sanchez Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

10/24/2005, REFERRED to Board of Supervisors.
11/1/2005, CONTINUED. Continued to November 8, 2005
Question: Shall this Motion be APPROVED?

From the Board

(Only one of the following two motions should be adopted.)

14. 051446 **[Affirm certification of 491 Bayshore Boulevard (Home Depot) FEIR]**
Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 491 Bayshore Boulevard (Home Depot) Project.
(Clerk of the Board)

9/27/2005, CONTINUED. Continued to October 25, 2005
10/25/2005, CONTINUED. Continued to November 1, 2005
11/1/2005, CONTINUED. Continued to November 8, 2005
Question: Shall this Motion be APPROVED?

15. 051447 **[Disapprove certification of 491 Bayshore Boulevard (Home Depot) FEIR]**
Motion disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the 491 Bayshore Boulevard (Home Depot) Project.
(Clerk of the Board)

9/27/2005, CONTINUED. Continued to October 25, 2005
10/25/2005, CONTINUED. Continued to November 1, 2005
11/1/2005, CONTINUED. Continued to November 8, 2005
Question: Shall this Motion be APPROVED?

16. 051448 **[Preparation of findings to disapprove certification of 491 Bayshore Boulevard (Home Depot) FEIR]**

Motion directing the Clerk of the Board to prepare findings disapproving the certification by the Planning Commission of the Final Environmental Impact Report for the 491 Bayshore Boulevard (Home Depot) Project.
(Clerk of the Board)

9/27/2005, CONTINUED. Continued to October 25, 2005
10/25/2005, CONTINUED. Continued to November 1, 2005
11/1/2005, CONTINUED. Continued to November 8, 2005
Question: Shall this Motion be APPROVED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Elsbernd

17. 051414 **[Board review required for annual or otherwise recurring grant applications of $5,000,000 or more]**

Supervisor Maxwell

Ordinance amending Section 10.170 of the Administrative Code to require Board review of proposed annual or otherwise recurring grant applications of $5,000,000 or more prior to their submission.

11/1/2005, CONTINUED. Continued to November 8, 2005
Question: Shall this Ordinance be PASSED ON FIRST READING?

From the Land Use Committee Without Recommendation

Present: Supervisors Maxwell, Sandoval, McGoldrick

18. 051398 **[Mission Bay South – Ordering Street Vacation of portions of Fourth Street]**

Ordinance ordering the vacation of two (2) portions of Fourth Street from Third Street north to Channel Street; authorizing a grant in fee title of the City and County of San Francisco's rights and interest in the vacated areas to FOCIL; authorizing reservations of certain utility easements in the vacated areas; adopting findings that such vacation of Fourth Street is consistent with the City General Plan and eight policies of City Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan; adopting findings pursuant to the California Environmental Quality Act (CEQA); accepting Department of Public Works Order No. 175,536; and authorizing official acts in connection with this Ordinance.
(Public Works Department)

9/27/2005, AMENDED. Amended to replace "4:00 p.m." with "3:00 p.m."
9/27/2005, CONTINUED. Continued to November 1, 2005 for a public hearing at 3:00 p.m.
11/1/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendation of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

19. 051581 **[Street Artist Winter Holiday Spaces]**
Resolution approving temporary selling spaces in the Downtown area and at Harvey Milk Plaza for street artists certified by the Arts Commission, City and County of San Francisco, for the winter holiday season, 2005, beginning on November 15, 2005 and ending on January 15, 2006.
(Arts Commission)

Question: Shall this Resolution be ADOPTED?

From the Land Use Committee Without Recommendation

Present: Supervisors Maxwell, Sandoval, McGoldrick

20. 051462 **[Condominium conversion lottery based on seniority of participation]**
Supervisor Dufty
Ordinance amending Subdivision Code Section 1396.1 to prioritize the condominium conversion lottery based on seniority of participation in prior lotteries and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES
Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

21. 051755 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 733-27th Avenue]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated August 24, 2005, exempting from environmental review under Categorical Exemption [State CEQA Guidelines, Section 15301 (Class 1)] the proposed interior renovations, façade alteration and horizontal and vertical extensions of the existing two-family residence. The existing two-story building is approximately 1,848 feet in size and has one off-street parking space. Upon completion of the proposed project, the building would have two residential units in a three-story, approximately 4,700 square-foot building with two off-street parking spaces in the ground floor garage. The proposed project would result in a horizontal addition that would extend the existing building about six feet to the north property line and 18 feet west into the rear yard and a vertical addition that would add a third floor to the existing building. The project would also include interior renovations and alteration of the façade.

The approximately 3,710 square-foot project site is located at 733-27th Avenue (Assessor's Block 1617, Lot 3), The project is within RH-2 (House, Two-Family) zoning district and within a 40X height and bulk district. (Appellant: Stephen M. Williams representing the neighbors of the above-referenced project.)

(Filed 10/13/05; companion measure to Files 051756, 051758, 051758; District 1.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

22. **051756** **[Affirming the categorical exemption issued for 733-27th Avenue]**
Motion affirming the determination by the Planning Department that the 733-27th Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

23. **051757** **[Disapproving the categorical exemption issued for 733-27th Avenue]**
Motion disapproving the determination by the Planning Department that the 733-27th Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

24. **051758** **[Preparation of findings related to the categorical exemption issued for 733-27th Avenue]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 733-27th Avenue project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

25. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

26. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 27 through 35

27. 051829 **[Emergency Disadvantaged Business Enterprise Program - November 15, 2005 - 4 p.m. Committee of the Whole]**

Supervisor Ma

Motion for the Board of Supervisors to convene as a committee of the whole on November 15, 2005, at 4:00 p.m. to accept public testimony concerning the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

11/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

28. 051828 **[Extension of Arts Task Force through January 31, 2006]**

Supervisor Ammiano

Resolution extending the operations of the Arts Task Force through January 31, 2006.

11/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

29. 051830 **[International Education Week]**

Supervisor Ma

Resolution declaring the week of November 14-18, 2005 as "International Education Week" in the City and County of San Francisco.

11/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

30. 051831 **[Accept and Expend Grant - Sheriff's Department program providing employment and education services for young offenders in the county jail and after their release]**

Supervisor Ma

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of $311,603 from the Substance Abuse & Mental Health Services Administration for providing jail diversion opportunities involving integrated mental health and substance abuse treatment for incarcerated women.

11/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

31. 051832 [Designating November 13, 2005 as Sisters of the Presentation Day]

Supervisor McGoldrick

Resolution designating November 13, 2005 as Sisters of the Presentation Day.

11/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

32. 051833 [Commending Hayes Valley Community Partners]

Supervisor Mirkarimi

Resolution commending the Hayes Valley Community Partners for organizing four neighborhood Halloween celebrations.

11/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

33. 051834 [Urging Governor Schwarzenegger to grant Stanley Tookie Williams' request for clemency]

Supervisor Mirkarimi

Resolution urging Governor Schwarzenegger to grant Stanley Tookie Williams' request for clemency and to support AB-1121, the "California Moratorium on Executions Act."

11/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

34. 051835 [Accept-expend State Grant Funds available under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002]

Mayor, Supervisor Daly

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a local assistance grant in the amount of $1,049,000 available under the Urban Park Act of 2001 Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 for the development of the South of Market Area Park.

11/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

35. 051817 [Needle Exchange Emergency]

Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

11/1/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

36. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from October 25, 2005 through October 31, 2005, for reference by President to appropriate committee on November 8, 2005.
None.

PROPOSED RESOLUTIONS

Proposed resolutions received from October 25, 2005 through October 31, 2005, for reference by President to appropriate committee on November 8, 2005.
None.

051856 **[Petitions and Communications]**

Petitions and Communications received from October 25, 2005 through November 1, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on November 8, 2005.

From Sue Hestor, concerning appeal of the proposed Home Depot project at 491 Bayshore Boulevard. File 051445, Copy: Each Supervisor (1)

From concerned citizens, submitting support for opening a Home Depot store on Bayshore Boulevard. File 051445, Copy: Each Supervisor (2)

From concerned citizens, submitting opposition to opening a Home Depot store on Bayshore Boulevard. File 051445, Copy: Each Supervisor (3)

From Matthew Brennan, submitting support for the project at 901 Bush Street as it stands, and urging the Board of Supervisors to accept the appeal and approve the subdivision map. File 051751, Copy: Each Supervisor (4)

From the War Memorial and Performing Arts Center, submitting the Departmental Efficiency Plan for fiscal year 2005-06. (5)

From concerned citizens, urging the Board to approve landmark status for the Music Concourse in Golden Gate Park with protection for the bandshell and the grid of pollard trees. (6)

From Stephen Williams, submitting request for continuance of public hearing of appeal of categorical exemption for 899 North Point Street until November 15, 2005. File 051222, Copy: Each Supervisor (7)

From Union Square Business Improvement District, submitting Annual Report for 2005 that proposes to increase the special assessment in accordance with the "Reauthorization Management District Plan" that was approved by the Board of Supervisors. Copy: Each Supervisor (8)

From Americans for Safe Access San Francisco, submitting support for proposed ordinance regulating medical cannabis facilities. File 051250, Copy: Each Supervisor (9)

From Sheriff's Department, submitting the Departmental Efficiency Plan for fiscal year 2005-06. (10)

From Department of Public Health, submitting notice that SF General Hospital will exceed its salary appropriation by an estimated $2 million or 1.0% for the quarter ending September 30, 2005. (11)

From St. Luke's Hospital, submitting notice that the St. Luke's Hospital Board of Directors has approved the creation of a combined St. Luke's/CPMC Turnaround Committee that will have the authority and responsibility for operational decisions at St. Luke's in the coming months. File 051626 (12)

From Office of the Controller, submitting the City Services Auditor Annual Report for fiscal year 2004-05. (13)

From concerned citizens, submitting request for continuance of proposed legislation regarding the "Better Neighborhoods Planning and Implementation Process" until such time as said legislation is modified. Copy: Each Supervisor (14)

From Office of the City Attorney, submitting notice that an appeal of negative declaration for 680 Illinois Street/2075 Third Street was filed in a timely manner with the Board of Supervisors. File 051740, Copy: Each Supervisor (15)

From E. McMillan, submitting copy of letter sent to Assessor-Recorder regarding mistaken ownership of property. (16)

From Public Utilities Commission, submitting resolution awarding a Design-Build agreement with IMR Roofing for $2,100,000 to build a photovoltaic system at Pier 96. (17)

From Human Services Agency, submitting notice that on November 1, 2005 the Human Services Agency will implement a new computerized welfare eligibility determination system, CalWIN. Copy: Each Supervisor (18)

From Department of Public Works, regarding the fiscal feasibility of the Bayview Transportation Improvement Project. Copy: Each Supervisor (19)

From Office of the Treasurer & Tax Collector, submitting quarterly report for the Bureau of Delinquent Revenue for the period July 1, 2005 through September 30, 2005. (20)

From Office of the District Attorney, submitting the Departmental Efficiency Plan for fiscal year 2005-06. (21)

From Civil Service Commission, submitting the Departmental Efficiency Plan for fiscal year 2005-06. (22)

From Department of the Environment, submitting the Departmental Efficiency Plan for fiscal year 2005-06. (23)

From concerned citizens, submitting support for enforcement of the leash law in the Golden Gate National Recreation Area. (24)

From Recreation and Park Department, commenting on the draft preliminary Environmental Impact Statement Report for the Doyle Drive Project. (25)

From Landmarks Preservation Advisory Board, urging the Board of Supervisors to designate 150 Otis Street for landmark status. File 051521, Copy: Land Use Committee members (26)

From City of Pittsburg, submitting notice of meeting on the Trans Bay Cable Project on November 3, 2005. (27)

From Planning Department, regarding SFPUC Calaveras Dam replacement project notice of preparation of an environmental impact report and note of public scoping meetings. (28)

From Planning Department, submitting additional transportation information for the Home Depot Project. File 051445, Copy: Each Supervisor (29)

Number not used. (30)

From Wolfe & Associates, withdrawing appeal for proposed project at 680 Illinois Street/2075 Third Street. File 051740, Copy: City Attorney (31)

From Kimo Crossman, regarding public records request forms. (32)

From Office of Contract Administration, regarding public records request forms. (33)

From Office of the City Attorney, submitting notice that the appeal filed concerning medical cannabis dispensaries exemption from environmental review was filed in a timely manner. Files 051250, 051260, Copy: Each Supervisor (34)

From concerned citizens, commenting on the "Better Neighborhoods Process" for Octavia Boulevard. File 050601 (35)

From Department of Parking and Traffic, responding to inquiry regarding crosswalks at the intersections of Masonic and Waller Streets and Haight and Masonic Streets. (Reference No. 20051018-10) Copy: Supervisor Mirkarimi (36)

From concerned citizens, commenting on Medical Cannabis Dispensaries. (37)

From concerned citizens, regarding zoning controls in District 10. (38)

From concerned citizens, regarding home ownership in San Francisco. (39)

From Victoria, commenting on the lack of Muni service in the Lake Merced area. (40)

From concerned citizens, regarding Susan Cervantes and her family being evicted from their family home of 35 years. (41)

From Debbie Fox, submitting opposition to proposed legislation that would eliminate felony conviction disclosure requirements for prospective City employees. (42)

From Rev. Randi Webster, regarding memorial service for Jane Weirick, a long-time medical cannabis advocate on Thursday, November 3rd and possibly Friday, November 4, 2005. Copy: Supervisor Mirkarimi (43)

From Florence Fung, regarding various issues concerning the construction of the public library on the 900 block of Ulloa Street. (44)

From Denise D'Anne, submitting support for public funding of our mayoral races. Copy: Each Supervisor (45)

From Department of Public Health, submitting the monthly STD report for September 2005. (46)

ADJOURNMENT

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.
NOV 14 2005
SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, November 15, 2005 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Ammiano, Mirkarimi, Elsbernd	Thursday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Peskin, Elsbernd, Daly	2nd and 4th Monday 1:00 PM
Land Use Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Alioto-Pier, Mirkarimi, Peskin	Wednesday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 4

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

1. 051589 **[Traffic Regulations]**
Supervisor Daly
Resolution enacting and rescinding traffic regulations on various streets.

RIGHT TURN ONLY - RESCIND
RIGHT TURN ONLY ONTO SAN JOSE AVENUE - ESTABLISH
Brook Street, westbound, at San Jose Avenue

NO TURN ON RED - ESTABLISH
Sacramento Street, westbound at Stockton Street; and,
Stockton Street, southbound, at Sacramento Street (to facilitate the installation of pedestrian scramble).

ONE-WAY STREET (NORTHBOUND) - RESCIND
ONE-WAY STREET (SOUTHBOUND) - ESTABLISH
Ritch Street, between Brannan and Bryant Streets (200 block).
(Parking and Traffic Department)

Question: Shall this Resolution be ADOPTED?

. **051597** **[Parking Regulations]**
Resolution enacting and rescinding parking regulations at various locations.

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Alameda Street, both sides, between Potrero Avenue and Utah Street; and,
Utah Street, west side, between Alameda and 15th Streets.

2-HOUR PARKING, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH
Marin Street, both sides, from Evans Avenue easterly to the terminus.

RESIDENTIAL PERMIT PARKING AREA "U" (2-HOUR TIME LIMIT, 8 AM – 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Langton Street, both sides, from Bryant Street to 272 feet southerly (the end of the public right-of-way (300 block)).

SIDEWALK WIDTH - REDUCE
PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Ingerson Avenue, south side, from 40 feet to 100 feet east of 3rd Street (sidewalk would be reduced from being 25 feet to 15 feet wide).

DIAGONAL (45-DEGREE ANGLE) PARKING - ESTABLISH
Brannan Street, northeast side, from approximately 103 feet east of Colin P. Kelly, Jr. Street to approximately 36 feet west of Delancey Street.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Folsom Street, north side, from 1st Street to 140 feet westerly.
(Parking and Traffic Department)

Question: Shall this Resolution be ADOPTED?

3. **051680** **[STOP Intersections - Cabrillo Street and 4th Avenue]**
Supervisor McGoldrick
Resolution establishing a STOP sign on Cabrillo Street and 4th Avenue, stopping on Cabrillo Street, making this intersection a 4 way STOP.

STOP SIGNS - ESTABLISH
Cabrillo Street and 4th Avenue, stopping Cabrillo Street, making this intersection an All-Way STOP.

Question: Shall this Resolution be ADOPTED?

Present: Supervisors McGoldrick, Ma

4. **051725** **[Accept-Expend State Grant - Department of Parking and Traffic]**
Supervisors Ammiano, Ma
Resolution authorizing the Department of Parking and Traffic to apply for, accept and expend a grant in the amount of $706,500 from the California Department of Transportation for Safe Routes to School grant funding.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

051250 **[Medical cannabis guidelines and medical cannabis dispensary zoning and permitting]**
Supervisor Mirkarimi

Ordinance amending the San Francisco Planning Code by amending Sections 209.3, 217, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 810, 811, 812, 813, 814, 815, 816, 817, and 818, and by adding Sections 790.141, and 890.131, to: define medical cannabis dispensaries; prohibit dispensaries in residential-house residential-mixed zoning districts, industrial districts, and certain mixed use districts; prohibit new medical cannabis dispensaries in neighborhood commercial cluster (NC-1) districts; permit dispensaries elsewhere subject to restrictions based on a dispensary's proximity to schools, community centers, and facilities providing substance abuse services that are licensed or certified by the State of California or funded by the Department of Public Health; require adequate ventilation in dispensaries; prohibit the sale or distribution of alcohol at dispensaries; require Planning Department notice to interested individuals and properties within 300 feet of proposed dispensaries; require the Planning Commission to hold a discretionary review hearing on each medical cannabis dispensary application; require dispensaries operating as of April 1, 2005 to obtain a permit within 18 months of the effective date of this legislation or must cease operations; require dispensaries beginning operation after April 1, 2005 but before the effective date of this legislation to cease operations; require a notice that permits for dispensaries are not intended to and do not authorize the violation of State or Federal law; and make environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan;
Amending the San Francisco Health Code by adding Sections 3200 through 3220, to: set medical cannabis possession guidelines; require a permit, business license, and business registration certificate for a medical cannabis dispensary; set out the application process for a medical cannabis permit; set out operating requirements for medical cannabis dispensaries including signage and advertising requirements; and set out the administrative process for imposing penalties and/or permit suspension or revocation for violations;
Amending the San Francisco Traffic Code by amending Sections 53 and 132, to create an infraction for double parking in front of a medical cannabis dispensary and set the fine at $100; and,
Amending the San Francisco Business and Tax Regulations Code by amending Section 1 to add Sections 1.177 to authorize the Department of Health to issue medical cannabis dispensary permits.

9/27/2005, SUBSTITUTED. Supervisor Mirkarimi submitted a substitute ordinance bearing new title.

10/18/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

10/18/2005, CONTINUED. Continued as amended to October 25, 2005.

10/25/2005, CONTINUED. Continued to November 15, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

6. 051747 **[Setting a permit application fee and an annual license fee for medical cannabis dispensaries]**

Supervisor Mirkarimi

Ordinance amending the San Francisco Health Code to add Section 3204 setting an application fee for a medical cannabis dispensary permit and amending the Business and Tax Regulations Code to add Section 249.17 to provide for an annual license fee for permitted medical cannabis dispensaries.

10/18/2005, AMENDED Amended by replacing "$6,110 with $6,691".

10/18/2005, CONTINUED Continued as amended to October 25, 2005.

10/25/2005, CONTINUED Continued to November 15, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

7. 051748 **[Medical cannabis dispensary application fee increase and adjustment of application and annual license fees based on changes in CPI]**

Supervisor Mirkarimi

Ordinance amending the San Francisco Health Code to amend Section 3204 to provide for adjustments of the application fee for medical cannabis dispensary permits based on changes to the consumer price index and amending the Business and Tax Regulations Code to amend Section 249.17 to provide for adjustments in the medical cannabis dispensaries annual license fees based on changes to the consumer price index.

10/25/2005, CONTINUED. Continued to November 15, 2005

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Elsbernd

8. 051414 **[Board review required for annual or otherwise recurring grant applications of $5,000,000 or more]**

Supervisor Maxwell

Ordinance amending Section 10.170 of the Administrative Code to require Board review of proposed annual or otherwise recurring grant applications of $5,000,000 or more prior to their submission.

11/1/2005, CONTINUED. Continued to November 8, 2005

11/8/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

11/8/2005, PASSED ON FIRST READING AS AMENDED.

Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Dufty, Ma

9. 051459 **[Parking Restrictions]**
Supervisor McGoldrick
Ordinance amending the San Francisco Traffic Code by amending Section 3.6.1 to redefine the Downtown Core area, by amending 38.B to prohibit no stopping except for the loading or unloading of passengers or freight in the Downtown Core, by amending 38.B.1 to prohibit no stopping except for the loading or unloading of passengers or freight outside of the Downtown Core, by amending 201.1 to revise the boundaries for Parking Meter Area Number One, and by amending 201.2 to revise the boundaries for Parking Meter Area Number Two.

9/27/2005, RE-REFERRED to City Operations and Neighborhood Services Committee.

Question: Shall this Ordinance be PASSED ON FIRST READING?

10. 051605 **[Penalties related to dog licensing]**
Supervisor Dufty
Ordinance amending Article 1, Section 41.25 of the San Francisco Health Code by increasing penalties imposed for failing to license a dog or obtain a young dog certificate from not less than $25 nor more than $50 to exactly $100; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

11. 051606 **[Penalties related to vicious and dangerous dogs]**
Supervisor Dufty
Ordinance amending Article 1, Section 42.2 of the San Francisco Health Code to transfer authority for registration of vicious and dangerous dogs from the Department of Public Health to the Department of Animal Care & Control, increase the vicious and dangerous dog registration fee from $50 to $250, allow for microchipping as an alternative form of permanent identification for dogs, and clarify standards for outdoor enclosures; amending Section 42.3 to adjust hearing deadlines for vicious and dangerous dog hearings; and amending Section 42.4 making a second or subsequent violation within any 12-month period from the initial incident punishable as a misdemeanor, and to allocate dog registration fees and fines collected for violations of Sections 42 through 42.3 to the Department of Animal Care & Control for enforcement of the vicious and dangerous dog program; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

12. 051607 **[Mandating the spaying and neutering of pit bulls and prohibiting non-permitted breeding of pit bulls]**

Supervisor Dufty

Ordinance amending Article 1 of the San Francisco Health Code by: adding Section 43, to define pit bull and to create a procedure for determining breed; adding Section 43.1, to require every pit bull in the City and County of San Francisco to be spayed or neutered unless one of the enumerated exceptions apply; adding Section 43.2, to establish fines of $100 to $1000 for failing to spay or neuter, to limit an owner from redeeming an impounded unspayed or unneutered pit bull, to provide a procedure for the Department of Animal Care and Control to spay or neuter a pit bull upon a deposit of $100 with an ultimate fee of the actual expenses incurred, and to set a fee of $60 for Animal Care and Control to transport a pit bull to a private veterinarian for spaying or neutering; adding Section 43.3, to allocate fines to the Department of Animal Care and Control; adding Section 43.4 to provide an operative date; adding Section 44, to provide permit requirements for the breeding and/or transferring ownership or possession of pit bull puppies within the City and County of San Francisco; adding Section 44.1, to create a permit procedure including standards for granting or denying a permit and establish a permit fee of $100; adding Section 44.2, to create a procedure for revoking a permit; adding Section 44.3, to require posting of permit numbers on any offer of sale, trade or adoption and to require permit holders to inform the Department of Animal Care and Control of the number of puppies born and transfer of ownership or possession of puppies; adding Section 44.4, to create fines of $100 to $1000 for failure to comply with permit requirements; adding Section 44.5, to allocate fines to the Department of Animal Care and Control; adding Section 44.6, to define exceptions to the breeding permit posting requirements; adding Section 44.7 to provide an operative date; and making environmental findings.

Question: Shall this Ordinance be PASSED ON FIRST READING?

13. 051474 **[Parking Regulations]**

Supervisor McGoldrick

Resolution enacting and rescinding parking regulations at various locations.

PARKING METERS (TO BE IN EFFECT 9 AM TO 6 PM, MONDAY THROUGH SATURDAY, 2-HOUR TIME LIMIT) - ESTABLISH
2nd Street, between Bryant and Townsend Streets
Brannan Street, between 4th and 2nd Street
Folsom Street, between 1st and Spear Streets
Fremont Street, between Folsom and Harrison Streets
Harrison Street, between 2nd and Fremont Streets
Main Street, between Harrison and Folsom Streets
Spear Street, between Folsom and Harrison Streets
Townsend Street, between 2nd and 3rd Streets

TOW-AWAY NO PARKING - RESCIND
Folsom Street, south side, between Main and Spear Streets

Question: Shall this Resolution be ADOPTED?

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, McGoldrick

14. 050496 **[Increasing height exemption for elevator penthouses from 10 feet to 16 feet]**
Supervisor Alioto-Pier
Ordinance amending the San Francisco Planning Code by amending Section 260 to increase the height exemption for elevator penthouses from 10 feet to 16 feet so long as the penthouse is limited to the footprint of the elevator shaft, to require that the design of all elevator penthouses in Residential districts be consistent with the "Residential Design Guidelines," to allow the Zoning Administrator to, after a public hearing, grant further exemptions for buildings with height limits of more than 65 feet where such an exemption is required to meet state or federal laws or regulations, and after providing neighborhood notice, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Question: Shall this Ordinance be PASSED ON FIRST READING?

15. 051769 **[Zoning - 16 Month and 15 Day Extension of Interim Moratorium on Medical Cannabis Dispensaries]**
Supervisor Mirkarimi
Urgency ordinance approving a 16 month and 15 day extension of the interim zoning moratorium throughout the City on clubs or dispensaries where marijuana is grown, purchased or distributed with a medical recommendation and making required findings, including findings of consistency with the priority policies of Planning Code Section 101.1 and environmental findings.

Question: Shall this Ordinance be FINALLY PASSED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

16. 051836 **[Hearing - Emergency ordinance reenacting a Disadvantaged Business Enterprise Program]**
Hearing to consider the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.
(Clerk of the Board)

Action:_____

Committee of the Whole Adjourn and Report Without Recommendation

17. 051821 **[Reenacting a Disadvantaged Business Enterprise Program]**
Supervisor Ma
Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

Question: Shall this Ordinance be FINALLY PASSED?

SPECIAL ORDER 4:00 P.M.

APPEALS PROCEDURES
Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

18. 051740 **[Public Hearing - Appeal of Final Mitigated Negative Declaration for 680 Illinois Street/2075 Third Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department adopted and issued on September 22, 2005, approving the Final Mitigated Negative Declaration (Case No. 2004.0546E), for the proposed demolition of two concrete warehouse/garage structures at 680 Illinois Street and 550 18th Street and construct one 50-foot tall building consisting of 35 dwelling units, 7,000 square feet of retail/commercial space, and about 41 off-street parking spaces. The project fronts on Illinois, Third and 18th Streets. The project would include a total of 74,012 square feet in five-stories, including four commercial spaces totalling 7,000-gsf on the ground floor - two facing Illinois Street, and one facing 18th and Third Streets. The 50,966-sf residential uses would have open space provided through a second story deck. The 10,580-sf parking garage would be at the ground floor and accessed from Illinois Street. The two warehouse structures located at 680 Illinois Street (or 2075 Third Street) and 550 18th Street are included in the Central Waterfront Cultural Resource Survey, the M-2 Zoning district and a 50-X height and bulk district, Assessors Block 3994, Lots 3 and 7. (Appellant: Mark R. Wolfe, Attorney for Patrick Mulligan, Financial Secretary, Carpenters Union Local 22 and Tom McCarthy, member, Carpenters Union Local 22.)

(Filed 10/19/05; companion measure to Files 051741, 051742, 051743; District 10.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the final mitigated negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

19. 051741 **[Affirm adoption of the final negative declaration for 680 Illinois Street/2075 Third Street]**
Motion affirming Planning Commission adoption of the final negative declaration for 680 Illinois Street/2075 Third Street.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

20. 051742 **[Reversing adoption of the final negative declaration for 680 Illinois Street/2075 Third Street]**
Motion reversing the Planning Commission adoption of the final negative declaration for 680 Illinois Street/2075 Third Street.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

21. 051743 **[Preparation of findings to reverse adoption of the final negative declaration for 680 Illinois Street/2075 Third Street]**
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the final negative declaration for 680 Illinois Street/2075 Third Street.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:30 P.M.

22. **051801** **[Public Hearing - Appeal of Categorical Exemption issued for the Medical Cannabis Dispensary ordinances]**
Hearing of persons interested in or objecting to the decision of the Planning Department dated August 25, 2005, Case No. 2005.0664E, exempting from environmental review under General Rule Exclusion (State CEQA Guidelines Section 15061(b)(3)), the proposed legislation relating to the San Francisco Medical Cannabis Dispensary Code Amendments. This matter is a companion measure to Board File Nos. 051747, 051748, and 051250. (Appellant: Mr. Bill Barnes).
Version.
(Filed October 21, 2005).

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

23. **051802** **[Affirming the categorical exemption issued for the Medical Cannabis Dispensary ordinances]**
Motion affirming the determination by the Planning Department that the Medical Cannabis Dispensary ordinances are categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

24. **051803** **[Disapproving the categorical exemption issued for the Medical Cannabis Dispensary ordinances]**
Motion disapproving the determination by the Planning Department that the Medical Cannabis Dispensary ordinances are categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

25. **051804** **[Preparation of findings related to the categorical exemption issued for the Medical Cannabis Dispensary ordinances]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the Medical Cannabis Dispensary ordinances are categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following items were considered by the Rules Committee at a Regular Meeting on Wednesday, November 9, 2005 at 10:00 a.m. The Chair intends to request the Committee to send the following items to the Board as a committee report on Tuesday, November 15, 2005.

26. 051586 **[Settlement of Lawsuit - Microsoft Corporation, et al.]**
Ordinance authorizing settlement of the class-action lawsuit filed by the City and County of San Francisco against Microsoft Corporation for $1,000,000; the lawsuit was filed on August 27, 2004 in San Francisco Superior Court; entitled City and County of San Francisco, et al., v. Microsoft Corporation, et al.; Microsoft removed the action to federal court and then transferred the action to the United States District Court for the District of Maryland.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

27. 051811 **[Settlement of Lawsuit - Lucia Wong]**
Ordinance authorizing settlement of the lawsuit filed by Lucia Wong against the City and County of San Francisco for $440,000; the lawsuit was filed on May 5, 2004 in San Francisco Superior Court, Case No. 431-126 and waiver of San Francisco General Hospital lien.
(City Attorney)

Question: Shall this Ordinance be PASSED ON FIRST READING?

28. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

29. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 29 through 34

30. 051862 [Averting SFUSD Strike]

Supervisor Ammiano

Resolution urging the San Francisco Unified School District and SEIU to come to an agreement that averts a potential strike that would be harmful to the children and youth of San Francisco and rely on information provided by the City Controller where this can be helpful.

11/8/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

31. 051863 [American Indian Heritage Month]

Supervisor Ma

Resolution declaring November 2005 as "American Indian Heritage Month" in the City and County of San Francisco.

11/8/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

32. 051864 [Extending the term of service for the Power Plant Task Force]

Supervisor Maxwell

Resolution to extend the expiration date of the Power Plant Task Force from November 1, 2005 to November 1, 2006.

11/8/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

33. 051865 **[Issuance and Sale of Revenue Bonds - Jewish Home of San Francisco]**

Supervisor Sandoval

Resolution approving the issuance and sale of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed $38,000,000 for the financing of the remodeling of and construction of additions to a residential and care facility owned by the Jewish Home of San Francisco.

11/8/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING

Question: Shall this Resolution be ADOPTED?

34. 051866 **[Commending Rabbi Kenneth R. Leitner]**

Supervisors Sandoval, Dufty, Peskin

Resolution commending Rabbi Kenneth R. Leitner for his exceptional qualities as a religious leader and congratulating him on his installation as the new senior rabbi at the Congregation Beth Sholom.

11/8/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

Questions on the For Adoption Without Committee Reference Agenda: _____

35. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from November 1, 2005 through November 7, 2005, for reference by President to appropriate committee on November 15, 2005.

051812 **[Settlement of Lawsuit - Theresa Koenig]**
Ordinance authorizing settlement of the lawsuit filed by Theresa Koenig against the City and County of San Francisco for $190,000; the lawsuit was filed on November 16, 2001 in San Francisco Superior Court, Case No. 401-374; entitled Theresa Koenig, et al., v. City and County of San Francisco, et al.
(City Attorney)

11/4/2005, RECEIVED AND ASSIGNED to Rules Committee.

051813 **[Settlement of Lawsuit - Tania Tavasieff Foley]**
Ordinance authorizing settlement of the lawsuit filed by Tania Tavasieff Foley against the City and County of San Francisco for $75,000; the lawsuit was filed on September 7, 2004 in San Francisco Superior Court, Case No. 434-496; entitled Tania Tavasieff Foley v. City and County of San Francisco, Mortimer John Joyce, Jr., and Stephen Waichi Wong.
(City Attorney)

11/4/2005, RECEIVED AND ASSIGNED to Rules Committee.

051814 **[Settlement of Lawsuit - Aircraft Service International, DHL Express (USA) as successor in interest to Airborne Express ("Airborne"), Atlantic Richfield Co., ChevronTexaco, Shell, Signature Flight Support, and Unocal]**
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco, acting by and through its Airport Commission, against Aircraft Service International, DHL Express (USA) as successor in interest to Airborne Express ("Airborne"), Atlantic Richfield Co., ChevronTexaco, Shell, Signature Flight Support, and Unocal, for the payment to the Airport of environmental clean-up costs with regard to City and County of San Francisco v. ARCO et al., Case No. C-97-2965 MMC (N.D. Cal).
(City Attorney)

11/4/2005, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from November 1, 2005 through November 7, 2005, for reference by President to appropriate committee on November 15, 2005.

051789 **[Prevailing wages for workers on public works/improvement projects, workers doing janitorial services, workers in public off-street parking lots, garages, or auto storage facilities, workers in theatrical services; and workers performing moving services]**
Resolution fixing prevailing wage rates for (1) workers performing work under City contracts for public work and improvement; (2) workers performing work under City contracts for janitorial services; (3) workers in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; (4) workers engaged in theatrical or technical services for shows on property owned by the City; and (5) workers performing moving services under City contracts at facilities owned or leased by the City.
(Civil Service Commission)

11/3/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051815 **[Additional contract funds to evaluate the integration of buprenorphine treatment into the SFGH AIDS Program]**

Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services (SFDPH, CBHS), to enter retroactively into an agreement with the University of California San Francisco (UCSF), the primary contractor, and expend additional funds in the amount of $351,939 to provide local and multi-site evaluation of the integration of buprenorphine treatment into the SFGH AIDS Program, and to add one (1.0) new position funded through this agreement; for the period of September 1, 2004 to August 31, 2009.
(Public Health Department)

11/1/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051885 [Petitions and Communications]

Petitions and Communications received from November 1, 2005 through November 7, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on November 15, 2005.

From Department of Public Health, submitting twelve executive summaries of the 2005 Title XV evaluation reports for each of the San Francisco detention facilities. (1)

From Adult Probation Department, submitting the Department's Efficiency Plan for fiscal year 2005/06. (2)

From Office of the Controller, submitting the Department's Efficiency Plan for fiscal year 2005/06. (3)

From SF International Airport, submitting the Department's Efficiency Plan for fiscal year 2005/06. (4)

From Ethics Commission, submitting the Department's Efficiency Plan for fiscal year 2005/06. (5)

From Arts Commission, submitting the Department's Efficiency Plan for fiscal year 2005/06. (6)

From Department of Elections, submitting the Department's Efficiency Plan for fiscal year 2005/06. (7)

From Office of the City Attorney, submitting the Department's Efficiency Plan for fiscal year 2005/06. (8)

From Juvenile Probation Department, submitting the Department's Efficiency Plan for fiscal year 2005/06. (9)

From Department of Children, Youth and Their Families, submitting the Department's Efficiency Plan for fiscal year 2005/06. (10)

From Steinhart Aquarium, submitting the Department's Efficiency Plan for fiscal year 2005/06. (11)

From Department of Building Inspection, submitting the Department's Efficiency Plan for fiscal year 2005/06. (12)

From Office of the City Administrator, submitting the Efficiency Plan for the departments under the jurisdiction of the Office of the City Administrator. They include the following: Department of Public Works, Department of Telecommunications and Information Services, Department of Administrative Services, Animal Care and Control, Chief Medical Examiner and Convention Facilities Department for fiscal year 2005/06. (13)

From Department of Child Support Services, submitting the Department's Efficiency Plan for fiscal year 2005/06. (14)

From Emergency Communications Department, submitting the Department's Efficiency Plan for fiscal year 2005/06. (15)

From Office of the Assessor-Recorder, submitting the Department's Efficiency Plan for fiscal year 2005/06. (16)

From Fire Department, submitting the Department's Efficiency Plan for fiscal year 2005/06. (17)

From Law Library, submitting the Department's Efficiency Plan for fiscal year 2005/06. (18)

From Human Rights Commission, submitting the Department's Efficiency Plan for fiscal year 2005/06. (19)

From Mayor's Office, submitting the Department's Efficiency Plan for fiscal year 2005/06. (20)

From Municipal Transportation Agency, submitting the Department's Efficiency Plan for fiscal year 2005/06. (21)

From Fine Arts Museums, submitting the Department's Efficiency Plan for the de Young and Legion of Honor Museums, fiscal year 2005/06. (22)

From Asian Art Museum, submitting the Department's Efficiency Plan for fiscal year 2005/06. (23)

From Planning Department, submitting the Department's Efficiency Plan for fiscal year 2005/06. (24)

From Police Department, submitting the Department's Efficiency Plan for fiscal year 2005/06. (25)

From Department on the Status of Women, submitting the Department's Efficiency Plan for fiscal year 2005/06. (26)

From the Port, submitting the Department's Efficiency Plan for fiscal year 2005/06. (27)

From Office of the Public Defender, submitting the Department's Efficiency Plan for fiscal year 2005/06. (28)

From Department of Public Health, submitting the Department's Efficiency Plan for fiscal year 2005/06. (29)

From Employees' Retirement System, submitting the Department's Efficiency Plan for fiscal year 2005/06. (30)

From Health Service System, submitting the Department's Efficiency Plan for fiscal year 2005/06. (31)

From Public Utilities Commission, submitting the Department's Efficiency Plan for fiscal year 2005/06. (32)

From Department of Human Resources, submitting the Department's Efficiency Plan for fiscal year 2005/06. (33)

From Human Services Agency, submitting the Department's Efficiency Plan for fiscal year 2005/06. (34)

From Office of the Treasurer & Tax Collector, submitting the Department's Efficiency Plan for fiscal year 2005/06. (35)

From Sue Hestor, submitting letter documenting two issues showing the insufficiency of the Home Depot Final Environmental Impact Report. File 051447, Copy: Each Supervisor, City Attorney (36)

From Planning Department, submitting a reduced project proposal and environmental analyses for the Home Depot project at 491 Bayshore Boulevard. File 051445, Copy: Each Supervisor, City Attorney (37)

From Planning Department, responding to a memo by Sue Hestor on behalf of Cole Hardware regarding the Home Depot project. File 051445, Copy: Each Supervisor, City Attorney (38)

From Cassidy, Shimko & Dawson, regarding the proposed Home Depot project at 491 Bayshore Boulevard. File 051445 (39)

From Cassidy, Shimko & Dawson, submitting proposed revisions to proposed Home Depot project at 491 Bayshore Boulevard. File 051445, 2 letters (40)

From Department of Elections, submitting request for waiver of Administrative Code Chapters 12B and 12C for Enterprise Rent-a-Car. (41)

From William Lim, submitting support for the Planning Commission's decision exempting the proposed renovation at 733 –27th Avenue from environmental review. File 051755, Copy: Each Supervisor (42)

From Edith McMillan, submitting copy of letter sent to the Mayor and the Assessor-Recorder regarding mistaken ownership of property. (43)

From Department of Elections, submitting diagram of the parking areas that will be reserved for the Department of Elections on Election Day, November 8, 2005. Copy: Each Supervisor (44)

From the Port, submitting "As-Needed Professional Services Contracts" Quarterly Report. (45)

From Carrie Peters, submitting request for a Type 40 liquor license for Semere Mesfun dba Unity Café at 1661 Fillmore Street. (46)

From Mathew Brennan, submitting request that public hearing for 901 Bush Street be continued to November 22, 2005. File 051751 (47)

From Department of Parking and Traffic, responding to inquiry with respect to the westbound streetcar stop on Ocean Avenue at San Leandro Way. (Reference No. 20050621-016) Copy: Supervisor Elsbernd (48)

From Police Department, submitting request for waiver of Administrative Code Chapters 12B and 12C for SMG (San Francisco Convention Facilities) at 747 Howard Street. (49)

From Human Services Agency, submitting quarterly report for the Human Services Card Fund. (50)

From Americans for Safe Access San Francisco, submitting support for proposed ordinance regulating medical cannabis facilities. File 051250 (51)

From Public Utilities Commission, regarding the feasibility of improving the lighting on Persia Street at Dublin and Prague Streets. (Reference No. 20050927-006) Copy: Supervisor Sandoval (52)

From Planning Department, responding to the letter of appeal regarding the issuance of a Categorical Exemption for the proposed project at 733 27th Avenue. File 051755 (53)

From Supervisor Dufty, submitting copy of letter sent to constituent regarding the Halloween event in the Castro. (54)

From John Goldberg, Mission Station, submitting copy of letter sent to constituent regarding the Halloween event in the Castro. (55)

From Randy Tashjian, submitting support for multilingual mercury in seafood warning signs. (56)

From Mike Zelinsky, expressing his opinion on banning the breeding of pit bulls in San Francisco. File 051607, Copy: Each Supervisor (57)

From concerned citizens, submitting support for enforcement of the leash law in the Golden Gate National Recreation Area. (58)

From concerned citizens, submitting support for opening a Home Depot store on Bayshore Boulevard. File 051445, Copy: Each Supervisor (59)

From concerned citizens, urging the Board to approve landmark status for the Music Concourse in Golden Gate Park with protection for the bandshell and the grid of pollard trees. File 051590. (60)

From John Nulty, submitting agenda from the October 22nd District 6 Town Hall Meeting. (61)

From Airport Commission, submitting request for waiver of Administrative Code Chapters 12B and 12C for DEPFA Bank, New York Branch. (62)

From concerned citizens, submitting request for continuance of public hearing on appeal of project at 729 27th Avenue until mid-December 2005. File 051755 (63)

From Law Offices of Stephen Williams, submitting request for continuance of public hearing on appeal of project at 729 27th Avenue until January 10, 2006. File 051755 (64)

From Office of the Controller, submitting report concerning the review of the Department of Animal Care and Control's revolving fund. (65)

From Russel Kester, regarding the lack of customer service and common courtesy by some Muni employees. Copy: Muni (66)

From Mary Taylor, submitting several suggestions for the development of Treasure Island. (67)

From Gregg Chadwick, regarding the 72-hour advanced notice requirement for posting "No Parking Signs" on public streets to the start of filming at any given location. Copy: Film Commission (68)

From The SF Bay Guardian, commenting on Supervisor Peskin and the proposed Home Depot store on Bayshore Boulevard. File 051445, Copy: Each Supervisor (69)

From concerned citizens, submitting opposition to opening a Home Depot Store on Bayshore Boulevard. File 051445, Copy: Each Supervisor (70)

From Marc Benson, commenting on various aspects of the picketers' conduct at Cal Pacific Medical Center, Davies Campus that is disrupting to the community. Copy: Supervisor Dufty (71)

From Ahimsa Sumchal, commenting on the public safety helicopter debate. (72)

From Ron Vinson, regarding request for public records from the Department of Telecommunications and Information Services. Copy: Sunshine Ordinance Task Force (73)

From State Department of Health Services, submitting notice that the Children's Medical Services Branch has approved the San Francisco County fiscal year 2005/06 Plan and budgets for carrying out CHDP Program requirements. (74)

From Patricia Walkup, commenting on the "Better Neighborhoods Process" for Octavia Boulevard. File 050601 (75)

From Florence Fung, submitting request for graffiti removal along the 900 block of Ulloa Street. (76)

From Randall Cline, commenting on the high price of a parking ticket in San Francisco. (77)

From concerned citizens, submitting various opinions on re-zoning issues in District 10. (78)

From Recreation and Park Department, submitting the Department's Efficiency Plan for fiscal year 2005/06. (79)

ADJOURNMENT

NOTICE OF PUBLIC HEARING OF THE SAN FRANCISCO BOARD OF SUPERVISORS ON THE PROPOSED AMENDMENT TO THE SOUTH OF MARKET EARTHQUAKE RECOVERY REDEVELOPMENT PLAN

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco (the "Board") will hold a public hearing on Tuesday, November 22, 2005, at 4:00 p.m., 2nd Floor Legislative Chamber, located at 1 Dr. Carlton B. Goodlett Place, San Francisco, California to consider the proposed Amendment to the Redevelopment Plan for the South of Market Eartquake Recovery Redevelopment Project Area (the "Plan Amendment") and to consider all evidence and testimony for or against the approval of the proposed Plan Amendment (File No. 050871). At any time not later than the hour set forth above for the hearing of objections to the proposed Plan Amendment, any person may file in writing with the Clerk of the Board at City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, California 94102, a statement of objections to the Plan Amendment. At the day, hour and place of the hearing, any and all persons having any objections to the proposed Plan Amendment may appear before the Board and show cause why the Plan Amendment should not be approved.

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11/21/05

The Plan Amendment proposes to convert the South of Market Earthquake Recovery Project Area (the "Project Area") to a standard redevelopment project area and will authorize the San Francisco Redevelopment Agency (the "Agency") to use tax-increment financing and, in certain limited cases, eminent domain to alleviate physical and economic conditions of blight. The Agency proposes to carry out a comprehensive program to alleviate the adverse effects of blight in the Project Area by implementing the five main elements of the Plan Amendment's program: 1) improving residential conditions and encouraging residential activity; 2) improving economic conditions and encouraging business activity; 3) promoting area quality of life and social services; 4) addressing infrastructure and transportation needs; and 5) assuring appropriate neighborhood land uses and design.

Interested persons may inspect and, upon payment of the costs of reproduction, obtain copies of the text of the proposed Plan Amendment, the Report on the Plan Amendment, and any other information pertaining to the prosposed Plan Amendment at the office of the SF Redevelopment Agency, 770 Golden Gate Ave., SF, CA or at the office of the Clerk of the Board, City Hall, Room 244, SF, CA. For more information, contact Mike Grisso, Project Manager, at (415) 749-2510 or mike.grisso@sfgov.org.

Gloria L. Young, Clerk of the Board

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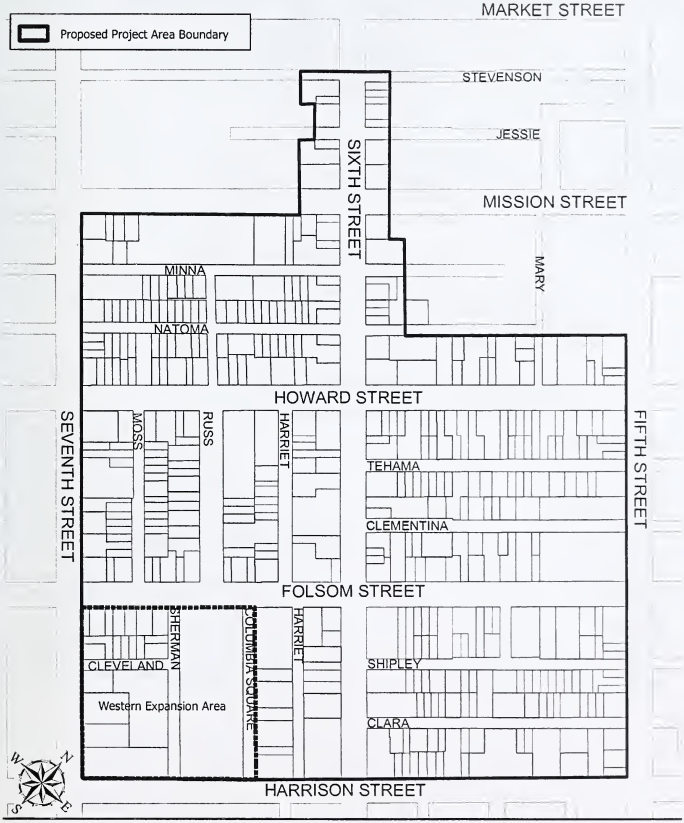
SOUTH OF MARKET REDEVELOPMENT PROJECT AREA REDEVELOPMENT PLAN (WITH PROPOSED AMENDMENT)

BOUNDARY MAP



BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

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Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, November 22, 2005 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Ammiano, Mirkarimi, Elsbernd	Thursday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Peskin, Elsbernd, Daly	2nd and 4th Monday 1:00 PM
Land Use Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Alioto-Pier, Mirkarimi, Peskin	Wednesday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Meeting Minutes for October 18, 2005 and October 25, 2005.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 7

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors

1. 051459 **[Parking Restrictions]**
Supervisor McGoldrick
Ordinance amending the San Francisco Traffic Code by amending Section 3.6.1 to redefine the Downtown Core area, by amending 38.B to prohibit no stopping except for the loading or unloading of passengers or freight in the Downtown Core, by amending 38.B.1 to prohibit no stopping except for the loading or unloading of passengers or freight outside of the Downtown Core, by amending 201.1 to revise the boundaries for Parking Meter Area Number One, and by amending 201.2 to revise the boundaries for Parking Meter Area Number Two.

9/27/2005, RE-REFERRED to City Operations and Neighborhood Services Committee.

11/15/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

2. 051605 [Penalties related to dog licensing]

Supervisor Dufty

Ordinance amending Article 1, Section 41.25 of the San Francisco Health Code by increasing penalties imposed for failing to license a dog or obtain a young dog certificate from not less than $25 nor more than $50 to exactly $100; and making environmental findings.

11/15/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

3. 051606 [Penalties related to vicious and dangerous dogs]

Supervisor Dufty

Ordinance amending Article 1, Section 42.2 of the San Francisco Health Code to transfer authority for registration of vicious and dangerous dogs from the Department of Public Health to the Department of Animal Care & Control, increase the vicious and dangerous dog registration fee from $50 to $250, allow for microchipping as an alternative form of permanent identification for dogs, and clarify standards for outdoor enclosures; amending Section 42.3 to adjust hearing deadlines for vicious and dangerous dog hearings; and amending Section 42.4 making a second or subsequent violation within any 12-month period from the initial incident punishable as a misdemeanor, and to allocate dog registration fees and fines collected for violations of Sections 42 through 42.3 to the Department of Animal Care & Control for enforcement of the vicious and dangerous dog program; and making environmental findings.

11/15/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

4. 051607 [Mandating the spaying and neutering of pit bulls and prohibiting non-permitted breeding of pit bulls]

Supervisor Dufty

Ordinance amending Article 1 of the San Francisco Health Code by: adding Section 43, to define pit bull and to create a procedure for determining breed; adding Section 43.1, to require every pit bull in the City and County of San Francisco to be spayed or neutered unless one of the enumerated exceptions apply; adding Section 43.2, to establish fines of $100 to $1000 for failing to spay or neuter, to limit an owner from redeeming an impounded unspayed or unneutered pit bull, to provide a procedure for the Department of Animal Care and Control to spay or neuter a pit bull upon a deposit of $100 with an ultimate fee of the actual expenses incurred, and to set a fee of $60 for Animal Care and Control to transport a pit bull to a private veterinarian for spaying or neutering; adding Section 43.3, to allocate fines to the Department of Animal Care and Control; adding Section 43.4 to provide an operative date; adding Section 44, to provide permit requirements for the breeding and/or transferring ownership or possession of pit bull puppies within the City and County of San Francisco; adding Section 44.1, to create a permit procedure including standards for granting or denying a permit and establish a permit fee of $100; adding Section 44.2, to create a procedure for revoking a permit; adding Section 44.3, to require posting of permit numbers on any offer of sale, trade or adoption and to require permit holders to inform the Department of Animal Care and Control of the number of puppies born and transfer of ownership or possession of puppies; adding Section 44.4, to create fines of $100 to $1000 for failure to comply with permit requirements; adding Section 44.5, to allocate fines to the Department of Animal Care and Control; adding Section 44.6, to define exceptions to the breeding permit posting requirements; adding Section 44.7 to provide an operative date; and making environmental findings.

11/15/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Land Use Committee

Present: Supervisors Maxwell, McGoldrick

5. 050496 **[Increasing height exemption for elevator penthouses from 10 feet to 16 feet]**
Supervisor Alioto-Pier
Ordinance amending the San Francisco Planning Code by amending Section 260 to increase the height exemption for elevator penthouses from 10 feet to 16 feet so long as the penthouse is limited to the footprint of the elevator shaft, to require that the design of all elevator penthouses in Residential districts be consistent with the "Residential Design Guidelines," to allow the Zoning Administrator to, after a public hearing, grant further exemptions for buildings with height limits of more than 65 feet where such an exemption is required to meet state or federal laws or regulations, and after providing neighborhood notice, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

11/15/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

6. 051586 **[Settlement of Lawsuit - Microsoft Corporation, et al.]**
Ordinance authorizing settlement of the class-action lawsuit filed by the City and County of San Francisco against Microsoft Corporation for $1,000,000; the lawsuit was filed on August 27, 2004 in San Francisco Superior Court; entitled City and County of San Francisco, et al., v. Microsoft Corporation, et al.; Microsoft removed the action to federal court and then transferred the action to the United States District Court for the District of Maryland.
(City Attorney)

11/15/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

7. 051811 **[Settlement of Lawsuit - Lucia Wong]**
Ordinance authorizing settlement of the lawsuit filed by Lucia Wong against the City and County of San Francisco for $440,000; the lawsuit was filed on May 5, 2004 in San Francisco Superior Court, Case No. 431-126 and waiver of San Francisco General Hospital lien.
(City Attorney)

11/15/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:*_____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

8. 051872 **[Adopting findings related to affirming the exemption determination issued for the Medical Cannabis Dispensary Code Amendments]**

Motion adopting findings related to affirming the determination by the Planning Department that the Medical Cannabis Dispensary Code Amendments are exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)
(Companion measure to Files 051801, 051802, 051803, 051804, 051747, and 051748.)

11/16/2005, REFERRED to Board of Supervisors.
Question: Shall this Motion be APPROVED?

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

9. 051250 **[Medical cannabis guidelines and medical cannabis dispensary zoning and permitting]**
Supervisor Mirkarimi

Ordinance amending the San Francisco Planning Code by amending Sections 209.3, 217, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 810, 811, 812, 813, 814, 815, 816, 817, and 818, and by adding Sections 790.141, and 890.133, to: define medical cannabis dispensaries; prohibit dispensaries in residential-house, and residential-mixed zoning districts, industrial districts, and certain mixed use districts; prohibit new medical cannabis dispensaries in neighborhood commercial cluster (NC-1) districts; permit dispensaries elsewhere subject to restrictions based on a dispensary's proximity to schools, community centers, and facilities providing substance abuse services that are licensed or certified by the State of California or funded by the Department of Public Health; require adequate ventilation in dispensaries; prohibit the sale or distribution of alcohol at dispensaries; require Planning Department notice to interested individuals and properties within 300 feet of proposed dispensaries; require the Planning Commission to hold a discretionary review hearing on each medical cannabis dispensary application; require dispensaries operating as of April 1, 2005 to obtain a permit within 18 months of the effective date of this legislation or cease operations; require dispensaries beginning operation after April 1, 2005 but before the effective date of this legislation to cease operations; require dispensaries seeking to begin operations after the effective date of this legislation to obtain a permit; require a notice that permits for dispensaries are not intended to and do not authorize the violation of State or Federal law; and make environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan;
Amending the San Francisco Health Code by adding Sections 3200 through 3221, to: set medical cannabis possession guidelines; require a permit, business license, and business registration certificate for a medical cannabis dispensary; set out the application process for a medical cannabis permit; set out operating requirements for medical cannabis dispensaries including signage and advertising requirements; and set out the administrative process for imposing penalties and/or permit suspension or revocation for violations;
Amending the San Francisco Traffic Code by amending Sections 53 and 132, to create an infraction for double parking in front of a medical cannabis dispensary and set the fine at $100; and,
Amending the San Francisco Business and Tax Regulations Code by amending Section 1, to add Section 1.177, to authorize the Department of Health to issue medical cannabis dispensary permits.

9/27/2005, SUBSTITUTED. Supervisor Mirkarimi submitted a substitute ordinance bearing new title.

10/18/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
10/18/2005, CONTINUED. Continued as amended to October 25, 2005.
10/25/2005, CONTINUED. Continued to November 15, 2005
11/15/2005, PASSED ON FIRST READING AS AMENDED.
11/15/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.
11/15/2005, PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be FINALLY PASSED?

10. 051747 **[Setting a permit application fee and an annual license fee for medical cannabis dispensaries]**
Supervisor Mirkarimi

Ordinance amending the San Francisco Health Code to add Section 3204 setting an application fee for a medical cannabis dispensary permit and amending the Business and Tax Regulations Code to add Section 249.17 to provide for an annual license fee for permitted medical cannabis dispensaries.

10/18/2005, AMENDED. Amended by replacing "$6,110 with $6,691".
10/18/2005, CONTINUED. Continued as amended to October 25, 2005.
10/25/2005, CONTINUED. Continued to November 15, 2005
11/15/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

11. **051748** **[Medical cannabis dispensary application fee increase and adjustment of application and annual license fees based on changes in CPI]**

Supervisor Mirkarimi

Ordinance amending the San Francisco Health Code to amend Section 3204 to provide for adjustments of the application fee for medical cannabis dispensary permits based on changes to the consumer price index and amending the Business and Tax Regulations Code to amend Section 249.17 to provide for adjustments in the medical cannabis dispensaries annual license fees based on changes to the consumer price index.

10/25/2005, CONTINUED. Continued to November 15, 2005

11/15/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

From the Land Use Committee Without Recommendation

Present: Supervisors Maxwell, Sandoval, McGoldrick

12. **051462** **[Condominium conversion lottery based on seniority of participation]**

Supervisors Dufty, Ma

Ordinance amending Subdivision Code Section 1396.1 to prioritize the condominium conversion lottery based on seniority of participation in prior lotteries and making environmental findings.

11/8/2005, CONTINUED.

Question: Shall this Ordinance be PASSED ON FIRST READING?

NEW BUSINESS

From the Land Use Committee Without Recommendation

Present: Supervisors Maxwell, Sandoval

13. 051590 **[Designating a portion of Lot 1 in Assessor's Block 1700 (Golden Gate Park), the Music Concourse, as a Landmark under Planning Code Article 10]**
Supervisors Mirkarimi, Maxwell, Sandoval, Ammiano
Ordinance designating a portion of Lot 1 in Assessor's Block 1700 (Golden Gate Park), the Music Concourse, as Landmark No. 249, pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code.
(Planning Department)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi

14. 051285 **[Report of Revenue Recovery for Damage to City Property]**
Supervisor Ma
Ordinance amending the San Francisco Administrative Code by adding Section 4.26 to require each department to report annually on the value of damage sustained to City real and personal property under its control and the amount of revenue recovered from those responsible for damaging the property.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

15. 051456 **[Creating a Foster Care Improvement Task Force]**
Supervisor Maxwell
Ordinance amending the San Francisco Administrative Code by adding Sections 5.300 and 5.305 to establish a Foster Care Improvement Task Force charged with implementing the recommendations of the Disproportionality Project, and to examine and address the overrepresentation of African American children in foster care.

Question: Shall this Ordinance be PASSED ON FIRST READING?

16. 051766 **[Confirming the reappointment of Ramon Romero to the San Francisco Redevelopment Agency]**
Mayor
Resolution confirming the reappointment of Ramon Romero, term ending September 3, 2009, to the San Francisco Redevelopment Agency.

Question: Shall this Resolution be ADOPTED?

17. **051722** **[Establishing a Select Committee on Ending Gun and Gang Violence Pursuant to Board of Supervisors Rules of Order, Rule 5.26]**

Supervisors Maxwell, Mirkarimi

Motion to establish a Select Committee on Ending Gun and Gang Violence pursuant to Board of Supervisors Rules of Order, Rule 5.26.

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

18. 051886 **[Public Hearing - Ordinance adopting the Redevelopment Plan Amendment for the South of Market Earthquake Recovery Redevelopment Project Area]**

Hearing to consider the possible adoption of an ordinance approving and adopting findings pursuant to the California Environmental Quality Act and a Statement of Overriding Considerations for the Redevelopment Plan Amendment for the South of Market Earthquake Recovery Redevelopment Project Area; amending Ordinance No. 234-90 to adopt the Redevelopment Plan Amendment for the South of Market Redevelopment Project Area; adopting findings that the Redevelopment Plan Amendment and related documents are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law; and authorizing official acts in furtherance of this ordinance. (Clerk of the Board)

Action:_____

Recommendation of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

19. 050871 **[Adopting the Redevelopment Plan Amendment for the South of Market Earthquake Recovery Redevelopment Project Area]**

Mayor, Supervisor Daly

Ordinance approving and adopting findings pursuant to the California Environmental Quality Act and a Statement of Overriding Considerations for the Redevelopment Plan Amendment for the South of Market Earthquake Recovery Redevelopment Project Area; amending Ordinance No. 234-90 to adopt the Redevelopment Plan Amendment for the South of Market Redevelopment Project Area; adopting findings that the Redevelopment Plan Amendment and related documents are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law; and authorizing official acts in furtherance of this ordinance.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES
Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

20. 051740 [Public Hearing - Appeal of Final Mitigated Negative Declaration for 680 Illinois Street/2075 Third Street]

Hearing of persons interested in or objecting to the decision of the Planning Department adopted and issued on September 22, 2005, approving the Final Mitigated Negative Declaration (Case No. 2004.0546E), for the proposed demolition of two concrete warehouse/garage structures at 680 Illinois Street and 550 18th Street and construct one 50-foot tall building consisting of 35 dwelling units, 7,000 square feet of retail/commercial space, and about 41 off-street parking spaces. The project fronts on Illinois, Third and 18th Streets. The project would include a total of 74,012 square feet in five-stories, including four commercial spaces totalling 7,000-gsf on the ground floor - two facing Illinois Street, and one facing 18th and Third Streets. The 50,966-sf residential uses would have open space provided through a second story deck. The 10,580-sf parking garage would be at the ground floor and accessed from Illinois Street. The two warehouse structures located at 680 Illinois Street (or 2075 Third Street) and 550 18th Street are included in the Central Waterfront Cultural Resource Survey, the M-2 Zoning district and a 50-X height and bulk district, Assessors Block 3994, Lots 3 and 7. (Appellant: Mark R. Wolfe, Attorney for Patrick Mulligan, Financial Secretary, Carpenters Union Local 22 and Tom McCarthy, member, Carpenters Union Local 22.)

(Filed 10/19/05; companion measure to Files 051741, 051742, 051743; District 10.)

11/15/2005, CONTINUED. Continued to November 22, 2005

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the final mitigated negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

21. 051741 **[Affirm adoption of the final negative declaration for 680 Illinois Street/2075 Third Street]**
Motion affirming Planning Commission adoption of the final negative declaration for 680 Illinois Street/2075 Third Street.
(Clerk of the Board)

11/15/2005, CONTINUED. Continued to November 22, 2005
Question: Shall this Motion be APPROVED?

22. 051742 **[Reversing adoption of the final negative declaration for 680 Illinois Street/2075 Third Street]**
Motion reversing the Planning Commission adoption of the final negative declaration for 680 Illinois Street/2075 Third Street.
(Clerk of the Board)

11/15/2005, CONTINUED. Continued to November 22, 2005
Question: Shall this Motion be APPROVED?

23. 051743 **[Preparation of findings to reverse adoption of the final negative declaration for 680 Illinois Street/2075 Third Street]**
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the final negative declaration for 680 Illinois Street/2075 Third Street.
(Clerk of the Board)

11/15/2005, CONTINUED. Continued to November 22, 2005
Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

24. **051222** **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 899 North Point Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 22, 2005, exempting from environmental review under Categorical Exemption, State CEQA Guidelines Sections 15303(b) and General Rule Exclusion, under CEQA Guidelines Section 15061(b)(3). The proposed project would involve the demolition of a vacant gas station building, approximately 1,650 square feet in size, and construction of a four-story, five-unit residential building. The proposed project would provide seven off-street parking spaces on the ground floor. Entrance and access to the residential units would be from Larkin Street and vehicular entrance and access would be from North Point Street. The project site at 899 North Point Street (Assessor's Block 0026, Lot 020) is approximately 5,469 square feet in size and located on the southeastern corner of North Point and Larkin Streets in the Russian Hill neighborhood on the block bounded by Larkin, North Point, Hyde and Bay Streets. The project site is zoned RH-3 (Residential, House, Three-Family) and is within a 40-X height and bulk district. The project site is also located in the Waterfront Special Use District No. 2, per Section 240.2 of the San Francisco Planning Code. (Appellant: Stephen M. Williams.)

(Filed June 17, 2005; companion measure to Files 051223, 051224, 051225; District 2.)

7/26/2005, CONTINUED. Continued to August 9, 2005

8/9/2005, CONTINUED. Continued to September 20, 2005

9/20/2005, CONTINUED. Continued to October 11, 2005

10/11/2005, CONTINUED. Continued to October 25, 2005

10/25/2005, CONTINUED. Continued to November 22, 2005

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

25. 051223 **[Affirming the categorical exemption issued for 899 North Point Street]**
Motion affirming the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/26/2005, CONTINUED. Continued to August 9, 2005
8/9/2005, CONTINUED. Continued to September 20, 2005
9/20/2005, CONTINUED. Continued to October 11, 2005
10/11/2005, CONTINUED. Continued to October 25, 2005
10/25/2005, CONTINUED. Continued to November 22, 2005
Question: Shall this Motion be APPROVED?

26. 051224 **[Disapproving the categorical exemption issued for 899 North Point Street]**
Motion disapproving the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/26/2005, CONTINUED. Continued to August 9, 2005
8/9/2005, CONTINUED. Continued to September 20, 2005
9/20/2005, CONTINUED. Continued to October 11, 2005
10/11/2005, CONTINUED. Continued to October 25, 2005
10/25/2005, CONTINUED. Continued to November 22, 2005
Question: Shall this Motion be APPROVED?

27. 051225 **[Preparation of findings related to the categorical exemption issued for 899 North Point Street]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

7/26/2005, CONTINUED. Continued to August 9, 2005
8/9/2005, CONTINUED. Continued to September 20, 2005
9/20/2005, CONTINUED. Continued to October 11, 2005
10/11/2005, CONTINUED. Continued to October 25, 2005
10/25/2005, CONTINUED. Continued to November 22, 2005
Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:30 P.M.

28. **051492** **[Public Hearing - Conditional Use Appeal for 1353 -1355 Bush Street ("MUSIC CITY")]**
Hearing of persons interested in or objecting to the Planning Commission by its Motion No. 17063 dated July 14, 2005 authorizing a conditional use authorization pursuant to Application No. 2004.0130CV subject to certain conditions, for a use size in excess of 3,000 square feet, for a music training facility ("MUSIC CITY"), with a full-service restaurant and bar, with live entertainment, also requiring a variance for off-street parking and usable open space (pursuant to conversion of "Tourist" hotel rooms to "Residential" hotel rooms), in the Polk Street Neighborhood Commercial District and a 65-A Height and Bulk District, on property located at 1353–1355 Bush Street, south side between Larkin and Polk Streets, with additional frontage on Fern Street; Lot 13, Assessor's Block 669. (Appellant: Robert Garcia, on behalf of Save our Streets).
(Filed August 15, 2005; companion measure to Files 041493, 041494, 041495; District 3.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

29. **051493** **[Approving Planning Commission decision related to Conditional Use Appeal for 1353-1355 Bush Street]**
Motion approving decision of the Planning Commission by its Motion No. 17063, approving Conditional Use Application 2004.0130CV on property located at 1353–1355 Bush Street, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

30. **051494** **[Disapproving Planning Commission decision related to Conditional Use Appeal for 1353-1355 Bush Street]**
Motion disapproving decision of the Planning Commission by its Motion No. 17063, approving Conditional Use Application 2004.0130CV on property located at 1353–1355 Bush Street.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

31. 051495 **[Preparation of findings related to the Conditional Use Appeal for 1353-1355 Bush Street]**
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2004.0130CV on property located at 1353-1355 Bush Street, for action by the Board at its next meeting.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 5:00 P.M.

32. **051780** **[Public Hearing - Appeal of Tentative Parcel Map for 554 Valley Street]**
Hearing of persons interested in or objecting to the decision of the Department of Public Works dated October 20, 2005, approving the Tentative Parcel Map for a 2-lot subdivision project located at 554 Valley Street, Lot 081 in Assessor's Block No. 6611. (Appellant: Betty Jean Wilkinson).
(Filed October 28, 2005; companion measure to Files 051781, 051782, 051783; District 8.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Tentative Parcel Map described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

33. **051781** **[Approving decision of the Director of Public Works and approving the Tentative Parcel Map for 554 Valley Street]**
Motion approving the decision of the Director of Public Works, approving the Tentative Parcel Map for a 2-lot subdivision project located at 554 Valley Street, Lot 081 in Assessor's Block 6611, and making environmental and General Plan findings.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

34. **051782** **[Disapproving decision of the Director of Public Works and disapproving the Tentative Parcel Map for 554 Valley Street]**
Motion disapproving the decision of the Director of Public Works and disapproving the Tentative Parcel Map for a 2-lot subdivision project located at 554 Valley Street, Lot 081 in Assessor's Block 6611.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

35. **051783** **[Preparation of findings related to the Tentative Parcel Map appeal for 554 Valley Street]**
Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision concerning a Tentative Parcel Map for a 2-lot subdivision located at 554 Valley Street, Lot 081 in Assessor's Block 6611.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 5:30 P.M.

36. 051784 **[Public Hearing - Conditional Use Appeal for 80 West Portal Avenue]**
Hearing of persons interested in or objecting to the Planning Commission by its Motion No. 17117 dated October 6, 2005 (Case No. 2005.0698C), approving, subject to certain conditions, a conditional use authorization pursuant to Planning Code Section 729.53 to establish mortgage brokerage as a business or professional service (Guarantee Mortgage), in a vacant ground floor commercial space approximately 2,318 gross square feet in the West Portal Avenue Neighborhood Commercial District and 26-X Height and Bulk District, on property located at 80 West Portal Avenue, Lot 008, in Assessor's Block 2931. (Appellant: Kenneth D. Kruszka, representing the Greater West Portal Neighborhood Association).
(Filed November 1, 2005; companion measure to Files 051784, 051785, 051786, 051787; Disctrict 7.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

37. 051785 **[Approving Planning Commission decision related to Conditional Use Appeal for 80 West Portal Avenue]**
Motion approving decision of the Planning Commission by its Motion No. 17117, approving Conditional Use Application 2005.0698C on property located at 80 West Portal Avenue, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

38. 051786 **[Disapproving Planning Commission decision related to Conditional Use Appeal for 80 West Portal Avenue]**
Motion disapproving decision of the Planning Commission by its Motion No. 17117, approving Conditional Use Application 2005.0698C on property located at 80 West Portal Avenue.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

39. 051787 **[Preparation of findings related to the Conditional Use Appeal for 80 West Portal Avenue]**
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2005.0698C on property located at 80 West Portal Avenue, for action by the Board at its next meeting.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Budget and Finance Committee at a Regular Meeting on Thursday, November 17, 2005 at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, November 22, 2005.

40. 051823 [Multifamily Housing Revenue Bonds – Alabama Street Family/Senior Housing]
Supervisor Daly

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed $33,000,000 for Alabama Street Family/Senior Housing; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed $33,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

Question: Shall this Resolution be ADOPTED?

The following item will be considered by the Government Audits and Oversight Committee at a Special Meeting on Monday, November 21, 2005 at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, November 22, 2005.

41. 051887 [Amendments to Administrative Code Section 10B]
Supervisor Peskin

Ordinance amending section 10B.2 of the Administrative Code to eliminate the provisions allowing the Mayor to waive payment for services under this chapter, and amending section 10B.20 of the Administrative Code to provide that any person, firm or corporation who receives a permit under section 10B and who is in arrears more than 90 days for payment required shall not be eligible for a future permit.

Question: Shall this Ordinance be PASSED ON FIRST READING?

42. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

43. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

44. 051791 **[Legislative Analyst Request - First-time homebuyer prequalification programs]**
Supervisor Ma
Motion requesting the Legislative Analyst to identify and describe current first-time homebuyer prequalification programs, review the best practices and analyze the feasibility of adopting a program in conjunction with the City and County of San Francisco.

Question: Shall this Motion be APPROVED?

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 45 through 52

45. 051891 **[Bartlett Garage Contract]**
Supervisor Ammiano
Resolution urging the Board of Directors of the San Francisco Metropolitan Transportation Agency to delay finalizing the Bartlett Garage contract and to consider dividing the contract between Mission Economic Development Association, a Mission District-based non-profit organization, and Pacific Park Management.

11/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

46. 051892 [Bill O'Reilly]

Supervisors Daly, Maxwell, Mirkarimi, Peskin, Ammiano

Resolution urging Fox News Corporation and Westwood One to terminate the employment of news show host Bill O'Reilly for speech condoning acts of terrorism.

11/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

47. 051893 [Urging Federal Communications Commission to closely examine KNEW 910 AM license renewal application]

Supervisor Daly

Resolution urging the Federal Communications Commission to closely examine radio station KNEW 910 AM's license renewal application in light of a public petition from Media Alliance, the Youth Media Council and Accion Latina to deny KNEW's application for breach of "the public interest".

11/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

48. 051894 [Hepatitis Screening Month]

Supervisors Ma, Dufty

Resolution declaring November 2005 to be " Hepatitis Screening Month" in the City and County of San Francisco.

11/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

49. 051895 [Commending Congresswoman Nancy Pelosi and San Francisco Businessman Lou Giraudo]

Supervisor Peskin

Resolution commending Congresswoman Nancy Pelosi and San Francisco businessman Lou Giraudo for their roles in the resolving the labor dispute between SEIU United Healthcare Workers – West and the California Pacific Medical Center (CPMC) in San Francisco and St. Luke's.

11/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

50. 051790 [Needle Exchange Emergency]

Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

11/15/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

51. 051867 **[Final Map for a 20 Unit Residential Condominium Project - 900 Gilman Avenue]**
Motion approving Final Map of 900 Gilman Avenue, a Residential Condominium Project, being a subdivision of Lot 019 in Assessor's Block No. 4936, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 175,721; District 10.)

11/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

52. 051868 **[Final Map for a 5 Unit Commercial/Residential Condominium Project - 5700 Mission Street]**
Motion approving Final Map of 5700 Mission Street, a Commercial/Residential Condominium Project, being a subdivision of Lot 001 in Assessor's Block No. 7109, and adopting findings pursuant to Planning Code Section 101.1.
(Public Works Department)
(DPW Order No. 175,722; District 11.)

11/10/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

53. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from November 8, 2005 through November 14, 2005, for reference by President to appropriate committee on November 22, 2005.

051871 **[Settlement of Lawsuit - Kristen Odlaug v. City and County of San and Robert Palu]**
Ordinance authorizing settlement of the lawsuit filed by plaintiff Kristen Odlaug against the City and County of San Francisco for payment of $400,000, including all damages, attorneys' fees and costs; the lawsuit was filed on April 13, 2004, in San Francisco Superior Court, Case No. 430-509, entitled Kristen Odlaug v. City and County of San and Robert Palu.

11/14/2005, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from November 8, 2005 through November 14, 2005, for reference by President to appropriate committee on November 22, 2005.

051840 **[Contract funds from a new primary contractor to evaluate the impact of a resource center for drug users, Year 3]**
Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services (SFDPH,CBHS), to enter retroactively into Year 3 of an agreement with a new primary contractor, the Research Triangle Institute (RTI), and expend funds in the amount of $6,004 to provide research evaluation services; for the period of July 1, 2005 to December 31, 2005.
(Public Works Department)

11/9/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051869 **[Approval of Port Lease with Miller Kelly Architects, Inc. at the Roundhouse One Building located at 150 Sansome Street]**
Resolution approving Lease between the San Francisco Port Commission and Miller Kelly Architects, Inc., a California corporation, dba MK Think for the lease of the Roundhouse One Building located at 150 Sansome Street, for a term of ten (10) years and one hundred eighty (180) days with one (1) option to renew for an additional five (5) years.
(Port)

11/10/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051905 **[Petitions and Communications]**

Petitions and Communications received from November 8, 2005 through November 14, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on November 22, 2005.

From Department of Public Works, submitting notice that appellants' signature with respect to 80 West Portal Avenue represent owners of more than 20% of the area involved and is therefore sufficient for appeal. File 051784 (1)

From the Treasury Oversight Committee, submitting notice that the Treasury Oversight Committee met twice during 2005, first on April 7, 2005 and again on October 21, 2005. (2)

From Joan Goodman Zimmerman, regarding the square footage of the former Goodman Lumber store on Bayshore Boulevard. File 051445, Copy: Each Supervisor (3)

From Sue Hestor, submitting support for appeal of proposed site of a Home Depot store at 491 Bayshore Boulevard. File 051447, Copy: Each Supervisor (4)

From Greater West Portal Neighborhood Association, submitting support for the concept of the proposed Better Neighborhoods Plan legislation. File 050601, Copy: Each Supervisor (5)

From Cassidy, Shimko & Dawson, regarding revisions to the Home Depot project application. File 051445, Copy: Each Supervisor (6)

From Planning Department, regarding appeal of the General Rule Exclusion for the Medical Cannabis Dispensary Code Amendments. File 051250, Copy: Each Supervisor, City Attorney (7)

From Office of the Treasurer, submitting the investment activity (for fiscal year to date) of the portfolios under the Treasurer's management. (8)

From Department of Parking and Traffic, reporting on the feasibility of installing bulb-out curb extensions at the intersection of Fell and Broderick Streets, adjacent to the new Broderick Plaza. (Reference No. 20050906-003) Copy: Supervisor Mirkarimi (9)

From Department of Public Works, reporting on the status of removing graffiti at various locations. (Reference No. 20051018-006) Copy: Supervisor Mirkarimi (10)

From Department of Public Works, reporting on the status of repairing potholes at 590 and 710 Steiner Streets. (Reference No. 20051018-007) Copy: Supervisor Mirkarimi (11)

From Department of Public Works, reporting on the status of removing graffiti on the mailboxes at Grove Street and Octavia Boulevard, Grove Street and Laguna Street and the Green box and light post near Oak and Scott Streets. (Reference No. 20051025-002) Copy: Supervisor Mirkarimi (12)

From Building Inspection Commission, submitting copy of response sent to Presiding Judge Robert Dondero regarding the recent Continuity Report. (13)

From Clerk of the Board, regarding passage of Proposition H "Firearm Ban" passed by San Francisco voters November 2005. (14)

From Edith McMillan, submitting copy of letter sent to the Mayor regarding mistaken ownership of property. (15)

From Municipal Transportation Agency, regarding safety on the N-Judah and L-Taraval Metro lines. (Reference No. 20051011-001) Copy: Supervisor Ma (16)

From Municipal Transportation Agency, regarding the feasibility of establishing motorcycle parking on the north end of Hayes Green. (Reference No. 20051018-013) Copy: Supervisor Mirkarimi (17)

From Public Utilities Commission, submitting request in expediting release of reserved funds $16,875,000 for the Power Enterprise's capital project budget. (18)

From Office of Emergency Services & Homeland Security, responding to request for a full investigation into the fire at 359 Capp Street on September 15, 2005. (Reference No. 20050920-014) Copy: Supervisor Ammiano (19)

From SF General Hospital, submitting request for waiver of Chapters 12B and 12C of the Administrative Code for Sara Lee Bakery Group. (20)

From Recreation and Park Department, submitting the 1st quarter report in response to the requirements of the Lead Poisoning Prevention legislation. (21)

From concerned citizens, commenting on the recent passage of Prop H, the ban on handguns in San Francisco. (22)

From concerned citizens, urging the Board to approve landmark status for the Music Concourse in Golden Gate Park with protection for the bandshell and the grid of pollard trees. File 051590 (23)

From concerned citizens, submitting support for enforcement of the leash law in the Golden Gate National Recreation Area. (24)

From Shawn Roberts, regarding dog licensing enforcement. File 051607, Copy: Each Supervisor (25)

From concerned citizens, regarding comments made about San Francisco by talk show host Bill O'Reilly. (26)

From Department of Parking and Traffic, regarding request made for ensuring the maintenance of sidewalks. (Reference No. 20051108-005) Copy: Supervisor Mirkarimi (27)

From concerned citizens, urging the Board of Supervisors to guarantee safe access for all medical cannabis patients by supporting regulations that allow dispensaries to operate responsibly through all districts of San Francisco. File 051250 (28)

From United States Department of the Interior, submitting notice that the U.S. Fish and Wildlife Service published a notice in the Federal Register of intent to conduct 5-year reviews of 31 species in California and Nevada currently listed as endangered or threatened under the Endangered Species Act. (29)

From Joseph O'Shea, submitting copy of letter sent to Greg Fortner regarding alleged incompetence and lack of strong supervision of Senior Development Custodians and Maintenance crew. (30)

From Michael Nulty, regarding lack of response from City representatives about various concerns from residents of District 6. Copy: Supervisor Daly (31)

From Liaison to District 6, submitting copy of letter sent to Mr. Nulty regarding response to various concerns from residents of District 6. Copy: Supervisor Daly (32)

From Phoebe Williams, regarding change in her prescription drug coverage. (33)

From Florence Fung, submitting request for information and investigation into posting religious symbols, chain fence location and removal, noise reduction and graffiti removal along the 900 block of Ulloa Street. (34)

From David Agostino, concerning the increase in the homeless population in the outer Sunset district of San Francisco. (35)

From Peter Pisciotta, urging the Board to urge the Department of Parking and Traffic to enforce the 2-hour parking zones on the side streets near 3rd/4th & Folsom (across Folsom from Moscone Center – Mabini, Lapu Lapu and Rizal Streets) especially on weekends. Copy: Supervisor Daly (36)

From Dana Smith, submitting request to file an injunction against the SFSPCA Feral Cat Assistance Program. (37)

From concerned citizens, submitting support for the proposed Home Depot store on Bayshore Boulevard. File 051445 (38)

From Russian Hill Community Association, regarding appeal of Categorical Exemption for proposed project at 1135-1139 Green Street. File 051858 (39)

ADJOURNMENT

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

DOCUMENTS DEPT.
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Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, December 6, 2005 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Ammiano, Mirkarimi, Elsbernd	Thursday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Peskin, Elsbernd, Daly	2nd and 4th Monday 1:00 PM
Land Use Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Alioto-Pier, Mirkarimi, Peskin	Wednesday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Meeting Minutes for November 1, 2005 and November 8, 2005.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 13

Recommendations of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi

1. 051677 **[Grant of Federal Funds - Municipal Transportation Agency - $65,840,680]**
Supervisor Dufty
Resolution authorizing the Municipal Transportation Agency to Accept and Expend $65,840,680 of Federal Formula Section 5307 Surface Transportation Program and Congestion Mitigation for Air Quality Capital Assistance for various San Francisco capital projects and activities, excluding Administrative Overhead Costs.
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

2. 051678 **[Grant of Regional Funds - Municipal Transportation Agency - $2,945,658]**
Supervisor Dufty
Resolution authorizing the Municipal Transportation Agency to accept and expend $2,945,658 of Assembly Bill 664 Funds for San Francisco Municipal Railway Capital Projects, excluding administrative overhead costs.
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

3. 051679 **[Grant of Federal Funds - Municipal Transportation Agency - $23,305,667]**
Supervisor Dufty
Resolution authorizing the Municipal Transportation Agency to accept and expend $23,305,667 Federal Formula Section 5309 Fixed Guideway capital projects and activities, excluding administrative overhead costs.
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

4. 051695 **[Accept-Expend Federal Grant - Mayor's Office of Criminal Justice (MOCJ) - $100,000]**
Supervisor Maxwell
Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of $100,000 from the Office of Justice Programs (OJP), Department of Justice for the purpose of supporting activities to reduce the number of violent and drug-related crimes in the designated Weed and Seed area within the Bayview Hunters Point neighborhood.

10/18/2005, REFERRED to Budget and Finance Committee. Supervisor Elsbernd requested that this matter be referred to Committee.

Question: Shall this Resolution be ADOPTED?

5. 051696 **[Accept-Expend Federal Grant - Mayor's Office of Criminal Justice (MOCJ) - $653,368]**
Supervisor Maxwell
Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of $653,368 from the Bureau of Justice Assistance (BJA), Office of Justice Programs (OJP), Department of Justice for the purpose of supporting activities to reduce the drug problem and violent activity associated with drug activity in San Francisco.

10/18/2005, REFERRED to Budget and Finance Committee. Supervisor Elsbernd requested that this matter be referred to Committee.

Question: Shall this Resolution be ADOPTED?

6. 051810 **[Lease of Real Property at 1390 Market Street]**
Resolution authorizing the renewal and expansion of a lease at 1390 Market Street for the Department of Children, Youth and their Families.
(Real Estate Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors Dufty, Maxwell

7. 051232 **[Liquor License, 566 Minnesota Street]**
Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Daniel Kahn, for The Bargain Bank located at 566 Minnesota Street, will serve the convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

8. 051760 **[Liquor License, 56 Belden Street]**
Resolution determining that the issuance of a Type 48 on-sale general license to Thierry Collomb, for Voda LLC located at 56 Belden Street, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Question: Shall this Resolution be ADOPTED?

9. 051815 **[Additional contract funds to evaluate the integration of buprenorphine treatment into the SFGH AIDS Program]**
Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services (SFDPH, CBHS), to enter retroactively into an agreement with the University of California San Francisco (UCSF), the primary contractor, and expend additional funds in the amount of $351,939 to provide local and multi-site evaluation of the integration of buprenorphine treatment into the SFGH AIDS Program, and to add one (1.0) new position funded through this agreement; for the period of September 1, 2004 to August 31, 2009.
(Public Health Department)

Question: Shall this Resolution be ADOPTED?

10. 051839 **[Grant to improve child passenger safety in San Francisco - Department of Public Health] Supervisor Ma**
Resolution authorizing the San Francisco Department of Public Health (SFDPH), to accept and expend a new grant in the amount of $563,195 from the California Office of Traffic Safety (COTS) to improve child passenger safety in San Francisco, to enter into an agreement for the use of these funds, and to add one (1.0) position funded through this grant agreement; for the period of October 1, 2005, to December 31, 2007.

Question: Shall this Resolution be ADOPTED?

11. **051840** **[Contract funds from a new primary contractor to evaluate the impact of a resource center for drug users, Year 3]**

Resolution authorizing the San Francisco Department of Public Health, Community Behavioral Health Services (SFDPH,CBHS), to enter retroactively into Year 3 of an agreement with a new primary contractor, the Research Triangle Institute (RTI), and expend funds in the amount of $6,004 to provide research evaluation services; for the period of July 1, 2005 to December 31, 2005.
(Public Works Department)

Question: Shall this Resolution be ADOPTED?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

12. **051764** **[Appointment - Child Care Planning and Advisory Council]**

Resolution appointing Candace Wong, term ending December 31, 2005, and Maria Luz Torre, term ending December 31, 2007, to the Child Care Planning and Advisory Council.

Candace Wong, succeeding Renu Nanda, resigned, seat 3, must be a nominee of District 3 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative", for the unexpired portion of a three-year term ending December 31, 2005.

Maria Luz Torre, succeeding herself, term expired, seat 10, must be a nominee of District 10 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "Community representative", for the unexpired portion of three-year term ending December 31, 2007.

Question: Shall this Resolution be ADOPTED?

13. 051851 **[Appointment - In-Home Supportive Services Public Authority]**

Resolution appointing Patricia Webb, term ending March 1, 2007, Sharon Brunn, term ending March 1, 2008, Kelly Dearman, term ending March 1, 2006, and Rosie Byers and Alice Wong, for terms to be determined, to the In-Home Supportive Services Public Authority.

Patricia Webb, succeeding Karen Young-Simmons, term expired, seat 2, must be a consumer between the ages of 18 and 60, authorized to represent organizations that advocate for younger people with disabilities, for the unexpired portion of a three-year term ending March 1, 2007.

Sharon Brunn, succeeding herself, term expired, seat 3, must be a consumer at-large over the age of 55, for the unexpired portion of a three-year term ending March 1, 2008.

Kelly Dearman, succeeding June Keller, term expired, seat 6, must be a member of the Human Services Commission, recommended to the Board by the Commission, for the unexpired portion of a three-year term ending March 1, 2006.

Rosie Byers, new appointment, seat 12, must be a member representing the bargaining unit of the union that represents IHSS independent providers, for the unexpired portion of a three-year term to be determined.

Alice Wong, new appointment, seat 13, must be a consumer at-large who is 18 years of age or older, for the unexpired portion of a three-year term to be determined.

Question: Shall this Resolution be ADOPTED?

Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated: _____

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

14. 051940 **[Adopting findings related to the tentative parcel map appeal on property located at 554 Valley]**
Motion adopting findings related to the appeal of the decision of the Department of Public Works approving tentative parcel map for a 2-lot subdivision project located at 554 Valley Street (Lot 081 in Assessor's Block 6611).
(Clerk of the Board)
(Companion measure to Files 051780, 051781, 051782, 051783.)

11/29/2005, REFERRED to Board of Supervisors.
Question: Shall this Motion be APPROVED?

15. 051950 **[Adopting findings related to affirming the categorical exemption issued for 899 North Point Street]**
Motion adopting findings related to affirming the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Companion measure to Files 051222, 051223, 051224, 051225.)

11/29/2005, REFERRED to Board of Supervisors.
Question: Shall this Motion be APPROVED?

Recommendation of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

16. 050871 **[Adopting the Redevelopment Plan Amendment for the South of Market Earthquake Recovery Redevelopment Project Area]**

Mayor, Supervisor Daly

Ordinance approving and adopting findings pursuant to the California Environmental Quality Act and a Statement of Overriding Considerations for the Redevelopment Plan Amendment for the South of Market Earthquake Recovery Redevelopment Project Area; amending Ordinance No. 234-90 to adopt the Redevelopment Plan Amendment for the South of Market Redevelopment Project Area; adopting findings that the Redevelopment Plan Amendment and related documents are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law; and authorizing official acts in furtherance of this ordinance.

(Fiscal impact.)

11/22/2005, PASSED ON FIRST READING.

Question: Shall this Ordinance be FINALLY PASSED?

Recommendation of the Government Audit and Oversight Committee

Present: Supervisors Peskin, Elsbernd, Daly

17. 051887 **[Amendments to Administrative Code Section 10B]**

Supervisors Peskin, Mirkarimi

Ordinance amending section 10B.2 of the Administrative Code to eliminate the provisions allowing the Mayor to waive payment for services under this chapter, and amending section 10B.20 of the Administrative Code to provide that any person, firm or corporation who receives a street closure permit while being in arrears more than 90 days for payment required shall not be eligible for a future permit.

11/22/2005, PASSED ON FIRST READING. Supervisor Mirkarimi requested to be added as a co-sponsor.

Question: Shall this Ordinance be FINALLY PASSED?

From the Land Use Committee Without Recommendation

Present: Supervisors Maxwell, Sandoval

18. 051590 [Designating a portion of Lot 1 in Assessor's Block 1700 (Golden Gate Park), the Music Concourse, as a Landmark under Planning Code Article 10]
Supervisors Mirkarimi, Maxwell, Sandoval, Ammiano, Daly
Ordinance designating a portion of Lot 1 in Assessor's Block 1700 (Golden Gate Park), the Music Concourse, as Landmark No. 249, pursuant to Article 10, Sections 1004 and 1004.4 of the Planning Code.
(Planning Department)

11/22/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

Recommendations of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi

19. 051285 [Report of Revenue Recovery for Damage to City Property]
Supervisor Ma
Ordinance amending the San Francisco Administrative Code by adding Section 4.26 to require each department to report annually on the value of damage sustained to City real and personal property under its control and the amount of revenue recovered from those responsible for damaging the property.

11/22/2005, AMENDED.
11/22/2005, PASSED ON FIRST READING AS AMENDED.
Question: Shall this Ordinance be FINALLY PASSED?

20. 051456 [Creating a Foster Care Improvement Task Force]
Supervisor Maxwell
Ordinance amending the San Francisco Administrative Code by adding Sections 5.300 and 5.305 to establish a Foster Care Improvement Task Force charged with implementing the recommendations of the Disproportionality Project, and to examine and address the overrepresentation of African American children in foster care.

11/22/2005, PASSED ON FIRST READING.
Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi

21. 051510 **[First Source Hiring Ordinance - Expanding the Chapter to apply to contract modifications; defining OLSE; amending liquidated damages and penalty sections and to provide for administrative review]**

Supervisor Mirkarimi

Ordinance amending the San Francisco Administrative Code by amending sections 83.2, 83.4, 83.6, 83.7, 83.9, 83.10, 83.11, 83.12, and 83.18 of the First Source Hiring Program to: 1) correct erroneous grammar and subsection references; 2) change "Department of Human Services (DHS)" to "Human Services Agency (HSA);" 3) define OLSE; 4) include the OLSE in making the final administrative determination regarding compliance with this Chapter; 5) include contract modifications under the definition of contracts; 6) amend provision of liquidated damages against contractors who fail to comply with this Chapter and to provide for administrative review; and 7) amend provision of a penalty against permittees and contractors engaged in non-City work performed in San Francisco who fail to comply with this Chapter and to provide for administrative review.

(Fiscal impact.)

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendation of the Rules Committee

Present: Supervisors Alioto-Pier, Mirkarimi, Peskin

22. 051800 **[Canceling January 3, 2006, Board of Supervisors meeting]**

Supervisor Peskin

Motion canceling January 3, 2006, meeting of the Board of Supervisors.

Question: Shall this Motion be APPROVED?

Recommendation of the Land Use Committee

Present: Supervisors Maxwell, McGoldrick

23. 051462 **[Condominium conversion lottery based on seniority of participation]**
Supervisors Dufty, Ma, Alioto-Pier
Ordinance amending Subdivision Code Section 1396.1 to prioritize the condominium conversion lottery based on seniority of participation in prior lotteries and making environmental findings.

11/8/2005, CONTINUED.
11/22/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
11/22/2005, RE-REFERRED to Land Use Committee. Supervisor Alioto-Pier requested to be added as a co-sponsor.

Question: Shall this Ordinance be PASSED ON FIRST READING?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES
Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

24. 051784 **[Public Hearing - Conditional Use Appeal for 80 West Portal Avenue]**
Hearing of persons interested in or objecting to the Planning Commission by its Motion No. 17117 dated October 6, 2005 (Case No. 2005.0698C), approving, subject to certain conditions, a conditional use authorization pursuant to Planning Code Section 729.53 to establish mortgage brokerage as a business or professional service (Guarantee Mortgage), in a vacant ground floor commercial space approximately 2,318 gross square feet in the West Portal Avenue Neighborhood Commercial District and 26-X Height and Bulk District, on property located at 80 West Portal Avenue, Lot 008, in Assessor's Block 2931. (Appellant: Kenneth D. Kruszka, representing the Greater West Portal Neighborhood Association).
(Filed November 1, 2005; companion measure to Files 051784, 051785, 051786, 051787; Disctrict 7.)

11/22/2005, CONTINUED. Continued to December 6, 2005

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the conditional use application decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

25. 051785 **[Approving Planning Commission decision related to Conditional Use Appeal for 80 West Portal Avenue]**
Motion approving decision of the Planning Commission by its Motion No. 17117, approving Conditional Use Application 2005.0698C on property located at 80 West Portal Avenue, and adopting findings pursuant to Planning Code Section 101.1.
(Clerk of the Board)

11/22/2005, CONTINUED. Continued to December 6, 2005

Question: Shall this Motion be APPROVED?

26. 051786 **[Disapproving Planning Commission decision related to Conditional Use Appeal for 80 West Portal Avenue]**
Motion disapproving decision of the Planning Commission by its Motion No. 17117, approving Conditional Use Application 2005.0698C on property located at 80 West Portal Avenue.
(Clerk of the Board)

11/22/2005, CONTINUED. Continued to December 6, 2005

Question: Shall this Motion be APPROVED?

27. 051787 **[Preparation of findings related to the Conditional Use Appeal for 80 West Portal Avenue]**
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2005.0698C on property located at 80 West Portal Avenue, for action by the Board at its next meeting.
(Clerk of the Board)

11/22/2005, CONTINUED. Continued to December 6, 2005

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:00 P.M.

28. **051852** **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 730 Great Highway]**
Hearing of persons interested in or objecting to the decision of the Planning Department dated July 19, 2004, (Case No. 031009E), exempting from environmental review under General Rule (State CEQA Guidelines, Section 15061 (b)(3)), the proposed construction project at 730 Great Highway. The project would construct a three-story, four-unit dwelling structures, 31.5 feet high with 6,540 square feet living area, 840 square feet garage which accommodate 4 off-street parking spaces. The proposed site is a 3,360 square feet vacant lot at east Great Highway and about 141 feet south from Balboa Street, zoned RM1, 40-X Height and Bulk District, within coastal Special Use District (SUD) and Special Sign District (SSD). (Appellant: Stephen M. Williams representing the Ocean Parc Village Homeowners Association.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

29. **051853** **[Affirming the categorical exemption issued for 730 Great Highway]**
Motion affirming the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

30. **051854** **[Disapproving the categorical exemption issued for 730 Great Highway]**
Motion disapproving the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

31. **051855** **[Preparation of findings related to the categorical exemption issued for 730 Great Highway]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 730 Great Highway project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item will be considered by the Budget and Finance Committee at a Regular Meeting on Thursday, December 1, 2005 at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, December 6, 2005.

32. 051767 **[Red Light Photo Enforcement Contract]**
Supervisor Ma
Resolution approving the contract between the Department of Parking and Traffic and ACS State and Local Solutions for administrative support services for the Red Light Photo Enforcement Program for a term not to exceed five years and an amount not to exceed $10,195,471.00.
(Fiscal impact.)

Question: Shall this Resolution be ADOPTED?

The following item will be considered by the City Operations and Neighborhood Services Committee at a Regular Meeting on Monday, December 5, 2005 at 1:00 p.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, December 6, 2005.

33. 051890 **[Traffic Regulations - 18th Street]**
Supervisor Dufty
Resolution rescinding No Parking 7am-4pm except Saturday and Sunday on 18th Street, north side, between Dolores and Church Streets.

NO PARKING 7A-4P EXCEPT SATURDAY AND SUNDAY– RESCIND
18th Street, north side, between Dolores and Church Streets

Question: Shall this Resolution be ADOPTED?

34. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

35. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 36 through 47

36. 051926 [Urging Low-Income Heating Oil Assistance Program]

Supervisors Peskin, Dufty

Resolution commending Citgo Petroleum Group for its plan to provide low-income communities in the United States of America with discounted home heating oil, inviting Citgo to engage in a similar program with San Francisco's low-income residents, and urging other major oil companies to invest a portion of record profits in low-income assistance programs.

11/22/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

37. 051927 [Accept-Expend State Grant - Police Department]

Supervisor Alioto-Pier

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend a grant in the amount of $45,000.00 (Forty-Five Thousand dollars) from the California Department of Boating and Waterways to purchase miscellaneous boating equipment for use in boating safety and law enforcement activities.

11/22/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

38. 051928 [Bernal Heights preschool]

Supervisor Ammiano

Resolution urging that the Bernal Preschool return to the Bernal Branch Library upon completion of the Branch Library Renovation.

11/22/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

39. 051929 [Proclaiming that the San Francisco Lesbian/Gay Freedom Band as the Official Band of the City and County of San Francisco]

Supervisors Dufty, Ammiano

Resolution proclaiming that the San Francisco Lesbian/Gay Freedom Band as the Official Band of the City and County of San Francisco.

11/22/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 051930 **[Declaring December 10th, 2005 as Dance-Along Nutcracker Day in the City and County of San Francisco]**

Supervisors Dufty, Ammiano

Resolution declaring December 10th, 2005 as Dance-Along Nutcracker Day in the City and County of San Francisco.

11/22/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

41. 051931 **[National Family Week]**

Supervisor Ma

Resolution declaring November 20 – 26, 2005 as "National Family Week" in the City and County of San Francisco.

11/22/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 051932 **[Supporting the Department on the Status of Women proposal for a Domestic Violence Cross-Training Institute]**

Supervisor Maxwell

Resolution supporting the Department on the Status of Women's proposal to the Blue Shield Foundation for funding to support the development of a Domestic Violence Cross-Training Institute.

11/22/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. 051933 **[Commending Thrasher Magazine on their 25th Anniversary]**

Supervisor Mirkarimi

Resolution commending Thrasher Magazine on the occasion of their 25th anniversary.

11/22/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

44. 051934 **[Grant to improve pedestrian safety awareness in San Francisco]**

Supervisor Mirkarimi

Resolution authorizing the San Francisco Department of Public Health (SFDPH), to accept and expend a new grant in the amount of $337,725 from the California Office of Traffic Safety (COTS) to improve pedestrian safety awareness in San Francisco, and to enter into an agreement for the use of these funds; for the period of October 1, 2005, to December 31, 2007.

11/22/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

45. 051946 [Urging CA Air Resources Board]

Supervisor Peskin

Resolution supporting adoption of the California Air Resources Board's (CARB) proposed regulation for auxiliary diesel engines and diesel-electric engines operated on ocean-going vessels within California waters and 24 nautical miles of the California Baseline for the purpose of reducing air pollution from ships that call on the Port of San Francisco, neighboring ports and all California ports.

11/22/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

46. 051947 [Supporting Maritime Union Job Retention]

Supervisor Peskin

Resolution supporting the retention of San Francisco maritime union jobs aboard the Alcatraz ferry service and urging the San Francisco Port Commission to consider the economic and traffic impacts of moving ferry service away from Fisherman's Wharf.

11/22/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

47. 051900 [Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

11/22/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Motion be APPROVED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

48. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from November 15, 2005 through November 28, 2005, for reference by President to appropriate committee on December 6, 2005.

051877 **[Settlement of Lawsuit - Carol Renault v. CCSF, et al.]**
Ordinance authorizing settlement of the lawsuit filed by Carol Renault against the City and County of San Francisco for $900,000; the lawsuit was filed on July 20, 2004 in San Francisco Superior Court, Case No. 433-157; entitled Carol Renault v. City and County of San Francisco, et al.
(City Attorney)

11/21/2005, RECEIVED AND ASSIGNED to Rules Committee.

051878 **[Settlement of Lawsuit - 1750 Connecticut Street, et al., v. CCSF, et al.]**
Ordinance authorizing settlement of the lawsuit filed by 1750 Connecticut Street against the City and County of San Francisco for $75,000; the lawsuit was filed on August 20, 2004 in San Francisco Superior Court, Case No. 433-992; entitled 1750 Connecticut Street, et al., v. City and County of San Francisco, et al.
(City Attorney)

11/21/2005, RECEIVED AND ASSIGNED to Rules Committee.

051896 **[Settlement of Lawsuit - National Center for International Schools, et al., v. CCSF, et al.]**
Ordinance authorizing settlement of the lawsuit filed by National Center for International Schools against the City and County of San Francisco for $178,667.42; the lawsuit was filed on October 28, 2004 in San Francisco Superior Court, Case No. 435-875; entitled National Center for International Schools, et al., v. City and County of San Francisco, et al.
(City Attorney)

11/21/2005, RECEIVED AND ASSIGNED to Rules Committee.

051899 **[Settlement of Lawsuit - Evan Weiss Arkush, et al., v. CCSF, et al.]**
Ordinance authorizing settlement of the lawsuit filed by Evan Weiss Arkush against the City and County of San Francisco for $125,000; the lawsuit was filed on July 26, 2004 in San Francisco Superior Court, Case No. 432-947; entitled Evan Weiss Arkush, et al., v. City and County of San Francisco, et al.
(City Attorney)

11/23/2005, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

Proposed resolutions received from November 15, 2005 through November 28, 2005, for reference by President to appropriate committee on December 6, 2005.

051837 **[Exceptions to the Ban on Compensated Advocacy]**
Ordinance amending Section 3.224 of the Campaign and Governmental Conduct Code to clarify that the exception to the ban on compensated advocacy for City officers who are licensed attorneys applies to City officers who are licensed attorneys engaged in the practice of law, which includes representing clients in communications with the City Attorney's Office, District Attorney's Office, the Public Defender's Office, attorneys in the Tax Collector's Office or Sheriff's Department, outside legal counsel hired by the City, and City officers and employees who are named in a pending litigation matter or are witnesses or potential witnesses in a pending litigation matter.
(Ethics Commission)

11/15/2005, RECEIVED AND ASSIGNED to Rules Committee.

051875 **[Report of assessment costs for sidewalk and curb repairs]**
Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.
(Public Works Department)
(DPW Order No. 175,671; Location: 800 Shrader Street.)

11/16/2005, ASSIGNED to Board of Supervisors.

051876 **[Statements of Economic Interests for Candidates for City Elective Office]**
Ordinance amending section 3.1-102 of the Campaign and Governmental Conduct Code to require all candidates for City elective office to file statements of economic interests with the Department of Elections no later than the final filing date for a declaration of candidacy.
(Ethics Commission)

11/21/2005, RECEIVED AND ASSIGNED to Rules Committee.

051897 **[Proposed Expenditure of California Healthcare for Indigents Program (CHIP) funds for Fiscal Year 2005-06]**
Resolution authorizing adoption of the County Description of Proposed Expenditure of California Healthcare for Indigents (CHIP) funds for Fiscal Year 2005-2006 and that the President or duly authorized representative of the Board of Supervisors of the City and County of San Francisco can certify the County Description of Proposed Expenditure of CHIP funds for the Fiscal Year 2005-2006.
(Public Health Department)

11/22/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051898 **[Appointment - Local Homeless Coordinating Board]**
Resolution appointing Christine Ma, M.D., for a term to be determined, to the Local Homeless Coordinating Board, residency requirement waived.
(Controller)

11/22/2005, RECEIVED AND ASSIGNED to Rules Committee.

051935 **[Settlement of Claim - Yully Company]**

Resolution approving the settlement of the unlitigated Claim No. 05-03042 filed by Yully Company on March 24, 2005, against the City and County of San Francisco for $119,000.
(City Attorney)

11/23/2005, RECEIVED AND ASSIGNED to Rules Committee.

051943 **[Petitions and Communications]**

Petitions and Communications received from November 15, 2005 through November 28, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on December 6, 2005.

From Department of Public Works, responding to inquiry regarding potholes at the northwest portion of the intersection of Geary Boulevard and Divisadero Street. (Reference No. 20051011-003) Copy: Supervisor Mirkarimi (1)

From Department of Public Works, reporting that the pothole in the middle of the intersection of 8th Avenue and Judah Street has been repaired. (Reference No. 20050816-007) Copy: Supervisor Mirkarimi (2)

From Municipal Transportation Agency, regarding the feasibility of establishing southbound Octavia Street as "Right Turn Only" to Fell Street. (Reference No. 20051018-011) Copy: Supervisor Mirkarimi (3)

From Municipal Transportation Agency, reporting on the status of street name signs on Octavia Boulevard. (Reference No. 20050927-003) Copy: Supervisor Mirkarimi (4)

From the Real Estate Division, reporting on inspection of the lease agreement at 1145 Market Street as to what are the terms of the lease regarding either having the landlord or SBC increase the number of phone lines to accommodate incoming calls. (Reference No. 20051011-006) Copy: Supervisor Elsbernd (5)

From Department of Public Health, submitting the Department's response to the Health Associates Report on its effectiveness as an integrated health care delivery system and provider of a continuum of long-term care services. (6)

From Supervisor Daly, regarding parking regulations in the South Beach area of San Francisco. File 051474, Copy: Each Supervisor (7)

From Office of the Treasurer/Tax Collector, submitting the Cash difference and Overage Fund balance and activities reported to the office for the period ending October 31, 2005. (8)

From Department of Elections, submitting request for waiver of Administrative Code 12B and 12C for San Francisco State University Public Research Institute. (9)

From Department of Human Services, regarding investigation of fire at 359 Capp Street on September 15, 2005. (Reference No. 20050920-017) Copy: Supervisor Ammiano (10)

From Regional Alliance for Transit, submitting support for the Transbay Terminal Project. (11)

From S.F. Human Services Network, submitting support for the Health Management Association Report on long-term care. (12)

From Andree Waldichuk, submitting opposition to the Planning Commission's decision approving Conditional Use application on property located at 80 West Portal Avenue. File 051784, Copy: Supervisor Elsbernd (13)

From Fire Department, submitting request for waiver of Administrative Code Chapters 12 and 12C for Holiday Inn Golden Gateway. (14)

From Airport Commission, submitting request for release of reserved funds ($24,970,000) for the West Field Cargo project. (15)

From Municipal Transportation Agency, submitting an interim report on traffic operations on and around Octavia Boulevard and the new U.S. 101 Touchdown Ramp (Central Freeway). File 051619, Copy: Each Supervisor (16)

From the Real Estate Division, submitting a drawing of the surplus Water Department parcels sold at public auction in the 1950's. (Reference No. 20051018-004) Copy: Supervisor Mirkarimi (17)

From Planning Department, responding to appeal of the Final Mitigated Negative Declaration for 680 Illinois Street. File 051740, Copy: Each Supervisor (18)

From Educational Discovery Tours, concerning the hardship on some students with increasing the cable car fare to $5.00. (19)

From San Francisco Community College, submitting notice of San Francisco Community College District's intent to sell real property at 1-21 Columbus Avenue and 612-624 Washington Street. (20)

From Governor's Office of Planning and Research, submitting notice of upcoming public hearings regarding the Advisory Planning Handbook for Community and Military Land Use Compatibility. (21)

From Takako Takakuwa, submitting support for the NERT program. (22)

From the Graffiti Advisory Board, submitting an evaluation of the criminal justice system's treatment of graffiti vandalism. Copy: Each Supervisor (23)

From Redevelopment Agency, submitting resolution adopted by the Redevelopment Agency on November 1, 2005 adopting an Agency Public Records Policy based on the Sunshine Ordinance. Copy: Supervisor Mirkarimi, File 051299 (24)

From Municipal Transportation Agency, regarding the operation of the Octavia Boulevard and Touchdown Ramp (Central Freeway). (Reference No. 20050920-001) Copy: Supervisor Mirkarimi (25)

From Fire Department, responding to inquiry about the Old Fire Station 21 at 1152 Oak Street. (Reference No. 20051011-004) Copy: Supervisor Mirkarimi (26)

From North Beach Neighbors, submitting support for proposed legislation regarding the Better Neighborhood Planning and Implementation Process. File 050601, Copy: Land Use Committee members (27)

From County of Lake Board of Supervisors, urging cities and counties throughout California to adopt legislation that governs the sale of products containing pseudoephedrine. Copy: Each Supervisor (28)

From concerned citizens, commenting on proposed legislation regarding pit bulls and dangerous dogs in San Francisco. File 051607 (29)

From concerned citizens, commenting on various propositions at the recent General Election in San Francisco. (30)

From concerned citizens, commenting on the recent statement made by talk show host Bill O'Reilly regarding San Francisco. Copy: Supervisor Daly (31)

From concerned citizens, regarding the recent ban on handguns in San Francisco. (32)

From concerned citizens, submitting support for enforcement of the leash law in the Golden Gate National Recreation Area. (33)

From concerned citizens, regarding home ownership in San Francisco. (34)

From the Port, submitting copy of letter sent to the CEO of the Mills Corporation concerning the Mills Corporation's recent failures to consult with the Port of San Francisco regarding press releases pertaining to the Piers 27-31 Project prior to release. Copy: Each Supervisor (35)

From Law Offices of Stephen Williams, submitting letter withdrawing the neighborhood appeal of the Second Categorical Exemption for 899 North Point Street. File 051225, Copy: Each Supervisor, City Attorney (36)

From concerned citizens, submitting opposition to the size homes proposed for each lot at 554 Valley Street. (37)

From concerned citizens, commenting on the cancellation of the SF Grand Prix. File 051564, Copy: Each Supervisor (38)

From Planning Department, submitting the priority policy and general plan consistency findings for the Better Neighborhoods Planning and Implementation Process. File 050601, Copy: Each Supervisor (39)

From Christine, urging the Board of Supervisors to adopt Laura's Law (legislation authorizing outpatient treatment for the mentally ill) passed in 2003 by the state legislature. Copy: Each Supervisor (40)

From Planning Association for the Richmond, submitting support for proposed legislation regarding landmark designation of the Music Concourse in Golden Gate Park. File 051590, Copy: Land Use Committee members (41)

From Miraloma Park Improvement Club, submitting copy of letter sent to the Mayor supporting the Police Chief's proposed five 50-officer Police Academy classes per year for the next three years to bring the force up to the staffing level required to protect the citizens of San Francisco. (42)

From Department of Public Health, regarding the statewide cannabis identification card program that is currently being implemented. File 051777, Copy: Each Supervisor (43)

From concerned citizens, commenting on San Francisco's anti-war stance. (44)

From concerned citizens, submitting support for recently passed resolution supporting clemency for Stanley Tookie Williams. File 051834, Copy: Each Supervisor (45)

From concerned citizens, submitting support for proposed legislation that prioritizes the condominium lottery based on seniority of participation in prior lotteries. File 051462 (46)

From Rosemarie Picone, submitting support for the establishment of Rudi Columbini's Music City Project. File 051590, Copy: Each Supervisor (47)

From Doug Biederbeck, submitting his concerns with proposed legislation regarding mandatory health benefits. Copy: Each Supervisor (48)

From Ben Thomson, regarding his experience with a Home Depot being built in the neighborhood. File 051446, Copy: Each Supervisor (49)

From Sameena Usman, regarding the disappearance of Oakland pediatrician Dr. Zehra Attari. (50)

From Issac Zones, submitting support for giving the murals in the Mission District landmark status. (51)

From Doug Hormann, regarding the cancellation of the San Francisco Grand Prix of Cycling in San Francisco. File 051564, Copy: Each Supervisor (52)

From State Public Utilities Commission, submitting notice of PG&E's application for an electric revenue increase. (53)

From Department of Parking and Traffic, responding to inquiry regarding the feasibility of installing a crosswalk across Buchanan at Rose Streets. (Reference No. 20051011-002) Copy: Supervisor Mirkarimi (54)

From Department of Public Works, responding to inquiry regarding the feasibility of regularly emptying the public trash receptacles in the Haight Ashbury neighborhood on Sundays. (Reference No. 20050927-002) Copy: Supervisor Mirkarimi (55)

From Department of Public Works, responding to inquiry regarding cleaning of various drains at various locations. (Reference No. 20051025-004) Copy: Supervisor Mirkarimi (56)

From Department of Public Works, regarding removal of graffiti from the electrical box and lamppost at the northeast intersection of Oak and Steiner Streets. (Reference No. 20051101-004) Copy: Supervisor Mirkarimi (57)

From Department of Public Works, regarding removal of graffiti from various locations. (Reference No. 20051115-004) Copy: Supervisor Mirkarimi (58)

From Comcast Cable, submitting notice of price adjustment for the analog and digital service provided by Comcast Cable effective January 1, 2006. (59)

From State Fish and Game Commission, submitting notice of proposed regulatory action relative to Sections 163.1, regarding Herring Permit Transfers. (60)

APPOINTMENTS BY THE MAYOR
Recreation and Parks Commission
Larry Martin, Sr.

Commission on the Status of Women
Angela Williams

Film Commission
Marlene Saritsky

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised

December 1. 2005

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Ordinance amending Planning SF Code to allow a bar use in a movie theater under specified circumstances	051481	Land Use Committee	Supervisor Mirkarimi	11/8/05	12/8/05
Ordinance amending the SF Planning Code to provide for neutral administrative law judges to conduct reconsideration hearings concerning the Planning Director's assessment of administrative	051844	Land Use Committee	Supervisor Mirkarimi	11/8/05	12/8/05
Ordinance amending SF Administrative Code regulating deemed approved off-sale alcohol uses and establishing an annual fee	051792	Land Use Committee	Supervisors Maxwell, Dufty, Peskin, Ma. Mirkarimi	11/15/05	12/16/05
Ordinance amending SF Administrative Code requiring City Departments to submit a bill within 30 days to private parties for services	051901	Government & Audis and Oversight Committee	Supervisor Alioto-Pier	11/22/05	12/22/05
Ordinance amending SF Administrative Code changing the Minimum Compensation Ordinance	051907	Budget & Finance Committee	Supervisors Ammiano, McGoldrick	11/22/05	12/22/05
Ordinance amending SF Administrative Code changing requirements to the Health Care Accountability Ordinance	051908	Budget & Finance Committee	Supervisors Ammiano, McGoldrick	11/22/05	12/22/05

Ordinance amending SF Administrative Code increasing liquidated damages and civil penalty provisions for violations of the First Source Hiring Program	051916	Budget & Finance Committee	Supervisor Mirkarimi	11/22/05	12/22/05
Ordinance amending SF Administrative Code requiring employers operating within San Francisco to make health expenditures on behalf of employees	051919	Budget & Finance Committee	Supervisor Ammiano	11/22/05	12/22/05
Ordinance amending SF Administrative Code establishing maximum work hours for the General Assistance Programs	051924	Budget & Finance Committee	Supervisors McGoldrick, Ammiano	11/22/05	12/22/05

City and County of San Francisco
NOTICE OF PUBLIC HEARING
Board of Supervisors

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

General Notice

Transmitted: 12-01-2005

A public hearing will be held on 12/13/2005, at 4:00 PM, or as soon as possible after this time, at 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

The Board of Supervisors will hold a public hearing relative to the listed subjects. All interested parties are cordially invited to attend. Persons who are unable to attend the hearing may submit written comments regarding this matter prior to the beginning of the hearing. These comments will become part of the official public record.

Mail comments for the Listed Files to: Board of Supervisors, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102

051858 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 1135-1139 Green Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated August 23, 2005, Case No. 2005.0842D, (Building Permit Application No. 2005.06.16.5311), exempting from environmental review under the California Environmental Quality Act ("CEQA") the proposal to construct a new subterranean basement and five-car garage under three existing two-story townhouses. The subject property is within an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District. The project site is located at 1135-1139 Green Street, south side of Green Street between Hyde and Leavenworth Streets; Lots 115, 116, and 117 in Assessor's Block 0125. (Appellants: F. Joseph Butler on behalf of The Little House Committee and Russian Hill Community Association.)

3/05

Gloria L. Young, Clerk of the Board

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

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BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

AGENDA

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Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Tuesday, December 13, 2005 2:00 PM

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Gloria L. Young, Clerk of the Board

Agendas of the Board of Supervisors are available on the internet at www.ci.sf.ca.us/bdsupvrs

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Ammiano, Mirkarimi, Elsbernd	Thursday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns	2nd Monday (Bi-monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Peskin, Elsbernd, Daly	2nd and 4th Monday 1:00 PM
Land Use Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Alioto-Pier, Mirkarimi, Peskin	Wednesday 10:00 AM
Select Committee on Ending Gun and Gang Violence Supervisors Maxwell, Mirkarimi, Ammiano	

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Board Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4) standing in the Legislative Chamber.

Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

Agendas are available on the internet at www.sfgov.org/site/bdsupvrs_index.asp?id=4383

THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.

Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 *必須在會議前最少四十八小時提出要求*
請電 (415) 554-7701

Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible.

Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, and N (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

Motion to approve Board Meeting Minutes for November 15, 2005 and November 22, 2005.

AGENDA CHANGES

COMMUNICATIONS

Note: Each item on the Consent or Regular agenda may include the following documents:
1) Legislation
2) Budget Analyst report
3) Legislative Analyst report
4) Department or Agency cover letter and/or report
5) Public correspondence
These items will be available for review at City Hall, Room 244, Reception Desk.

CONSENT AGENDA

All matters listed hereunder constitute a Consent Agenda, are considered to be routine by the Board of Supervisors and will be acted upon by a single roll call vote of the Board. There will be no separate discussion of these items unless a member of the Board so requests, in which event the matter shall be removed from the Consent Agenda and considered as a separate item.

Items 1 through 15

Recommendations of the City Operations and Neighborhood Services Committee

Present: Supervisors McGoldrick, Ma

1. 051449 **[Liquor License, 2925 16th Street]**
Resolution determining that the issuance of a type 48 on-sale general public premise license to Peter Glikshtern on behalf of Aljoy Inc. for Pink located at 2925 16th Street, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.

Question: Shall this Resolution be ADOPTED?

2. 051805 [STOP and YIELD Intersections]

Resolution designating certain intersections as "STOP" or "YIELD" intersections.

STOP SIGNS - ESTABLISH
19th Street and Rhode Island Street, stopping 19th Street at Rhode Island Street, making this uncontrolled T-intersection a One-Way STOP.
Leese Street and Richland Avenue, stopping Richard Avenue at Lesse Street, making this an All-Way STOP.
28th Avenue and Lake Street, stopping the northern intersection of 28th Avenue at Lake Street, making this intersection an All-Way STOP.

YIELD SIGN – ESTABLISH
San Bruno Avenue, southbound, merging onto Bayshore Boulevard, south of Arleta Avenue.
(Parking and Traffic Department)
(10/19/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3078.)

Question: Shall this Resolution be ADOPTED?

3. 051806 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Hillway Avenue, east side, from Carl Street to the north property line of #40 Hillway Avenue.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Hillway Avenue, east side, between Carl Street and Parnassus Avenue.

PARKING METERS, 1-HR. TIME LIMIT - RESCIND
PARKING METERS, 2-HR. TIME LIMIT - ESTABLISH
20th Avenue, parking lot on west side, between Irving Street and Lincoln Way.
(Parking and Traffic Department)
(10/19/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3078.)

Question: Shall this Resolution be ADOPTED?

4. 051807 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

NO TURN ON RED - ESTABLISH
Franklin Street, northbound, at Fell Street.
(Parking and Traffic Department)
(10/19/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3078.)

Question: Shall this Resolution be ADOPTED?

5. 051849 **[STOP Intersections]**
Supervisor Mirkarimi
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Pierce and Fulton: stopping northbound and southbound at Pierce Street, and eastbound and westbound at Fulton Street, making this intersection an All-Way STOP;
4th Ave. at Hugo: stopping northbound and southbound 4th Ave. and eastbound and westbound Hugo, making this intersection an All-Way STOP;
Octavia at Fulton: stopping eastbound and westbound at Octavia Street;

Question: Shall this Resolution be ADOPTED?

Present: Supervisors McGoldrick, Dufty, Ma

6. 051847 **[Parking Regulations]**
Supervisor Sandoval
Resolution enacting and rescinding parking regulations at various locations.

NO PARKING ANYTIME - ESTABLISH
Alemany Boulevard, westside, from 34 feet to 70 feet north of Ocean Avenue.
(11/8/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Question: Shall this Resolution be ADOPTED?

7. 051850 **[Traffic Regulations]**
Supervisor Sandoval
Resolution enacting and rescinding traffic regulations on various streets.

BICYCLE LANES - ESTABLISH
Alemany Boulevard, northbound, from 200 feet west of San Jose Avenue to Niagara Avenue, and from Geneva Avenue to Rousseau Street; and,
Alemany Boulevard, southbound, from Rousseau Street to Seneca Avenue, and from Geneva Avenue to San Jose Avenue.

LEFT LANE MUST TURN LEFT - ESTABLISH
Alemany Boulevard, southbound, at Geneva Avenue; and,
Alemany Boulevard, northbound, at Geneva Avenue.

RIGHT LANE MUST TURN RIGHT - ESTABLISH
Alemany Boulevard, northbound, at San Jose Avenue/Regent Street; and
Alemany Boulevard, southbound, at Rousseau Street.
(11/8/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Question: Shall this Resolution be ADOPTED?

8. 051897 [Proposed Expenditure of California Healthcare for Indigents Program (CHIP) funds for Fiscal Year 2005-06]

Resolution authorizing adoption of the County Description of Proposed Expenditure of California Healthcare for Indigents (CHIP) funds for Fiscal Year 2005-2006 and that the President or duly authorized representative of the Board of Supervisors of the City and County of San Francisco can certify the County Description of Proposed Expenditure of CHIP funds for the Fiscal Year 2005-2006. (Public Health Department)

Question: Shall this Resolution be ADOPTED?

9. 051909 [Grant for mosquito control to reduce the threat of West Nile virus]

Supervisors Ma, Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of $175,426.20 from the California Department of Health Services (CDHS) for mosquito control to mitigate the threat of West Nile virus transmission, and to enter into an agreement for the use of these funds; for the period of July 1, 2005 to June 30, 2006.

Question: Shall this Resolution be ADOPTED?

10. 051910 [Grant to develop training resources and a support network for injury prevention professionals in California, Kids' Plates initiative]

Supervisor Alioto-Pier

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a new grant in the amount of $55,000 from the San Diego State University Research Foundation (SDSU) for the injury prevention leadership initiative, Kids' Plates, and to enter into an agreement for the use of these funds; for the period of August 15, 2005, to June 30, 2007.

Question: Shall this Resolution be ADOPTED?

11. 051911 [Approve a no-cost extension of grant funds from the prior (third) year of the grant, extend the term of the grant, and change grant-funded positions]

Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to approve a no-cost extension of grant funds from the Substance Abuse and Mental Health Services Administration (SAMHSA) in the amount of $309,049 in funds left over from the prior grant year of September 30, 2004 to September 29, 2005, extending the term from September 29, 2005, to September 29, 2006, and changing grant-funded positions; for the new period of September 30, 2005, to September 29, 2006.

Question: Shall this Resolution be ADOPTED?

12. 051912 [Grant to establish an enhanced STD Surveillance Network to better understand trends in gonorrhea and other sexually transmitted diseases and develop appropriate interventions in collaboration with other programs throughout the United States]

Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a new grant in the amount of $80,000 from the Centers for Disease Control and Prevention (CDCP), to establish an enhanced STD Surveillance Network, to enter into an agreement for the use of these funds, and to add one 1.0 new position funded through this grant; for the period of September 30, 2005, to September 29, 2006.

Question: Shall this Resolution be ADOPTED?

13. 051914 **[Grant to improve pedestrian safety in Bayview Hunters Point San Francisco]**
Supervisor Maxwell
Resolution authorizing the San Francisco Department of Public Health (SFDPH), to accept and expend a new grant in the amount of $157,541 from the California Department of Transportation (CDOT) to improve pedestrian safety in Bayview Hunters Point, San Francisco, and to enter into an agreement for the use of these funds; for the period of January 1, 2006, to June 30, 2007.

Question: Shall this Resolution be ADOPTED?

14. 051922 **[Grant for the Let's Be Healthy! Project to promote healthy living and prevent and manage chronic health conditions among Russian-speaking newcomers in San Francisco]**
Supervisors McGoldrick, Ma
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a new four year grant, in the amount of $18,813 for the first year, from Bay Area Community Resources (BACR), for the Let's Be Healthy! Project and to enter into an agreement for the use of these funds; for the period of October 1, 2005, to June 30, 2006.

Question: Shall this Resolution be ADOPTED?

15. 051941 **[Grant to improve accessibility of and participation in the elections process]**
Resolution authorizing the San Francisco Department of Elections to accept and expend a grant in an amount not to exceed $98,521.74 from California Secretary of State, as partial reimbursement for implementation of Help America Vote Act Section 261, to improve improving accessibility to and participation in the elections process.
(Elections Department)

Question: Shall this Resolution be ADOPTED?

*Questions on the Consent Agenda are on final passage, first reading, or adoption, as indicated:*_____

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use Committee

Present: Supervisors Maxwell, McGoldrick

16. 051462 [Condominium conversion lottery based on seniority of participation]
Supervisors Dufty, Ma, Alioto-Pier
Ordinance amending Subdivision Code Section 1396.1 to prioritize the condominium conversion lottery based on seniority of participation in prior lotteries and making environmental findings.

11/8/2005, CONTINUED.
11/22/2005, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.
11/22/2005, RE-REFERRED to Land Use Committee. Supervisor Alioto-Pier requested to be added as a co-sponsor.
12/6/2005, PASSED ON FIRST READING. Supervisor Mirkarimi was previously excused from voting on this matter.
Question: Shall this Ordinance be FINALLY PASSED?

NEW BUSINESS

Recommendation of the Budget and Finance Committee

Present: Supervisors Ammiano, Mirkarimi, Elsbernd

17. 051827 **[Exempting pushcart peddlers with BART permits at 16th and 24th Street Stations from Police permit requirements]**

Supervisor Ammiano

Ordinance amending Article 17.3 of the Police Code by amending Section 1330 to define BART; adding Section 1330.2 to exempt pushcarts who obtain permits from BART for the 16th St. and 24th St. BART stations or adjacent plaza from obtaining a police permit; amending Section 1330.5 to require the Health Department Director to make a recommendation to BART within 30 days after the filing of such application with BART; amending Section 1330.14 to require the Health Department Director to forward the Certificate of Sanitation decal number assigned to each pushcart under the jurisdiction of BART to BART; and by renumbering Sections 1330.2 through 1330.6.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Recommendations of the Land Use Committee

Present: Supervisors Maxwell, Sandoval, McGoldrick

18. 050601 **[Better Neighborhoods Planning and Implementation Process]**

Supervisors McGoldrick, Maxwell

Ordinance amending the Administrative Code to add Chapter 36 to establish uniform procedures for developing comprehensive neighborhood plans (the "Better Neighborhoods Planning and Implementation Process"); amending Administrative Code Section 3.4 to provide for integrated Better Neighborhoods Plan budget documents; amending Planning Code to add Section 312A regarding discretionary review for projects proposed in Better Neighborhoods Plan areas; and Section 312B to establish permit review procedures for certain projects within Better Neighborhoods Plan areas; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Question: Shall this Ordinance be PASSED ON FIRST READING?

Present: Supervisors Maxwell, McGoldrick

19. 051120 **[Street Encroachment at 624 Laguna Street]**

Resolution granting revocable permission to 624 Laguna LP, to occupy a portion of the public right-of-way for the installation and operation of a new sub-sidewalk elevator under the sidewalk fronting the subject property at 624 Laguna Street (Block 0807, Lot 012), and making findings of consistency with the City's General Plan and Planning Code Section 101.1.
(Public Works Department)

Question: Shall this Resolution be ADOPTED?

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

20. **051995** **[Fifth Annual Youth Recognition Day]**
Fifth Annual Youth Recognition Day Presentation.
(Clerk of the Board)

Action:_____

SPECIAL ORDER 4:00 P.M.

APPEAL PROCEDURES
Board Rule 4.29 provides that public hearings on appeals shall be scheduled for 4pm. If more than one public hearing is scheduled, then the Clerk, in consultation with the President, may determine the order in which the appeals will be scheduled. Second and later appeals may be scheduled at specified times later than 4 pm. An appeal shall not be heard prior to its scheduled time on the calendar, and it may not be called until the Board's consideration of appeals scheduled earlier on the calendar is completed. It is the policy of the Clerk of the Board to schedule multiple appeals in the following order at 4pm:

1. *Appeals where all parties have agreed to request a continuance or a tabling of the appeal.*
2. *Continued appeals from previous Board meetings (continued appeals will be listed in order of those closest to deadlines for Board decision).*
3. *Appeals appearing on the calendar for the first time, in chronological order of receipt by the Clerk.*
4. *Multiple appeals appearing on the calendar may be staggered at times specific, beginning at 4pm.*
5. *Appeals involving participants who have ADA considerations may be set for specific times beginning at 4pm.*

21. 051858 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 1135-1139 Green Street]**
Hearing of persons interested in or objecting to the decision of the Planning Department dated August 23, 2005, Case No. 2005.0842D, (Building Permit Application No. 2005.06.16.5311), exempting from environmental review under the California Environmental Quality Act ("CEQA") the proposal to construct a new subterranean basement and five-car garage under three existing two-story townhouses. The subject property is within an RH-3 (Residential, House, Three-Family) District and a 40-X Height and Bulk District. The project site is located at 1135-1139 Green Street, south side of Green Street between Hyde and Leavenworth Streets; Lots 115, 116, and 117 in Assessor's Block 0125. (Appellants: F. Joseph Butler on behalf of The Little House Committee and Russian Hill Community Association.)

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

22. 051859 **[Affirming the categorical exemption issued for 1135-1139 Green Street]**
Motion affirming the determination by the Planning Department that the 1135-1139 Green Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

23. **051860** **[Disapproving the categorical exemption for 1135-1139 Green Street]**
Motion disapproving the determination by the Planning Department that the 1135-1139 Green Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

24. **051861** **[Preparation of findings related to the categorical exemption issued for 1135-1139 Green Street]**
Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 1135-1139 Green Street project is categorically exempt from environmental review under the California Environmental Quality Act.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

SPECIAL ORDER 4:30 P.M.

25. **051936** **[Public Hearing - Appeal of Final Mitigated Negative Declaration for 2660 Harrison Street]**
Hearing of persons interested in or objecting to the decision of the Planning Department dated November 3, 2005, File Number 2004.0672E, for the proposed development project at 2660 Harrison Street.
(Filed 11/23/05; companion measure to Files 051936, 051937, 051938, 051939, District 9.)on

Action:_____

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the final mitigated negative declaration decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

26. **051937** **[Affirming adoption of the final mitigated negative declaration for 2660 Harrison Street]**
Motion affirming Planning Commission adoption of the final mitigated negative declaration for 2660 Harrison Street.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

27. **051938** **[Reversing adoption of the final mitigated negative declaration for 2660 Harrison Street]**
Motion reversing the Planning Commission adoption of the final mitigated negative declaration for 2660 Harrison Street.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

28. 051939 **[Preparation of findings to reverse adoption of the final mitigated negative declaration for 2660 Harrison Street]**

Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the final mitigated negative declaration for 2660 Harrison Street.
(Clerk of the Board)

Question: Shall this Motion be APPROVED?

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

The following item was considered by the Rules Committee at a Regular Meeting on Wednesday, December 7, 2005 at 10:00 a.m. The Chair intends to request the Committee to send the following item to the Board as a committee report on Tuesday, December 13, 2005.

29. 051906 **[Appointment - Police Commission]**

Motion confirming the Rules Committee's nominations of, and appointing, David Campos, term ending April 30, 2006, and Petra DeJesus, term ending April 30, 2009, to the San Francisco Police Commission.

David Campos, succeeding Peter Keane, resigned, seat 2, must be nominated by the Rules Committee or its successor and subject to confirmation by the Board of Supervisors, for the unexpired portion of a two-year term ending April 30, 2006.

Petra DeJesus, succeeding Gayle Orr-Smith, resigned, seat 3, must be nominated by the Rules Committee or its successor and subject to confirmation by the Board of Supervisors, for the unexpired portion of a four-year term ending April 30, 2009.

Question: Shall this Motion be APPROVED?

30. ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, letters of request to the City Attorney and Board Members' reports on their regional body activities.

31. PUBLIC COMMENT

An opportunity for members of the public to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board, including items being considered today which have not been considered by a Board committee and excluding items which have been considered by a Board committee. Members of the public may address the Board for up to three minutes. Each member of the public will be allotted the same number of minutes to speak, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. The President or the Board may limit the total testimony to 30 minutes.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 32 through 48

32. 051928 [Bernal Heights preschool]

Supervisor Ammiano

Resolution urging that the Bernal Preschool return to the Bernal Branch Library upon completion of the Branch Library Renovation.

11/22/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

12/6/2005, CONTINUED. Continued to December 13, 2005

Question: Shall this Resolution be ADOPTED?

33. 051965 [Accept-Expend State Grant - Port Commission]

Supervisor Alioto-Pier

Resolution authorizing the San Francisco Port Commission to accept and expend a grant in the amount of $450,000 from the Governor's Office of Homeland Security for purchase of security enhancements.

12/6/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

34. 051966 [Honoring Rosa Parks]

Supervisors Ammiano, Maxwell, Dufty, Peskin, Mirkarimi, Daly, Alioto-Pier, McGoldrick, Ma

Resolution commemorating the life and mourning the loss of Rosa Parks, an icon of the Civil Rights Movement whose brave act of refusing to give up her seat on an Alabama bus in 1955 led to the end of legalized segregation in the United States; and further declaring that December 1st shall annually be observed as Rosa Parks Commemoration Day in the City and County of San Francisco and further urging the President of the United States and the United States Congress to officially designate December 1st as a holiday to commemorate the life and contribution of Rosa Parks and the legacy of the Civil Rights movement in the United States; and further encouraging all businesses in the City, both public and private, to either close on December 1st or allow the many workers and students in the City who will want to attend Rosa Parks Commemoration events taking place during normal business hours to take the day off or to leave work and school early with impunity.

12/6/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

35. 051969 [Urging the Names Project Foundation to return the AIDS Quilt to San Francisco]

Supervisors Dufty, Ammiano, Mirkarimi

Resolution urging the Names Project Foundation to return the AIDS Quilt to San Francisco.

12/6/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

36. 051970 **[Commending Supervisor Zev Yaroslavsky for 30 years of elected service to the City and County of Los Angeles, California]**

Supervisor Dufty

Resolution commending Supervisor Zev Yaroslavsky for 30 years of dedicated elected public service to the City and County of Los Angeles, California.

12/6/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

37. 051971 **[Commending Wells Fargo]**

Supervisors Dufty, Ammiano

Resolution commending Wells Fargo for its Exemplary Corporate Citizenship and Commitment to Diverse Communities.

12/6/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

38. 051972 **[Expressing best wishes to Eric Batchelder for a successful recovery and commending his dedication and courage as a member of the San Francisco Police Department]**

Supervisor Dufty

Resolution expressing best wishes to Eric Batchelder for a successful recovery and commending his dedication and courage as a member of the San Francisco Police Department.

12/6/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

39. 051973 **[Russian Bilingual Bicultural Program]**

Supervisor Ma

Resolution urging the San Francisco Unified School District to consider the feasibility of establishing a Russian Bilingual Bicultural Program, incorporating methods from the European educational system of learning.

12/6/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

40. 051974 **[Accept-Expend Grant - Public Library]**

Supervisor Ma

Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of $153,000 from the Bill & Melinda Gates Foundation to provide sustainable public access computer hardware and software upgrades.

12/6/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

41. 051975 [Accept-Expend Federal Grant - Office of the Chief Medical Examiner]

Supervisors Ma, Dufty

Resolution authorizing the Office of the Chief Medical Examiner to accept and expend a grant in the amount of $74,300.00 from the Office of Justice Programs of the Department of Justice for Forensic Science improvement.

12/6/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

42. 051977 [Accept and Expend Federal Transportation Grant - Airport Commission]

Supervisor Ma

Resolution authorizing the Airport Commission to accept and expend a grant totaling $44,000 from the Federal Transit Administration through the California Department of Transportation (CalTrans) and the Metropolitan Transportation Commission (MTC) for ground transportation planning interns.

12/6/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

43. 051978 [Accept-Expend State Grant - Port Commission]

Supervisor Maxwell

Resolution authorizing the San Francisco Port Commission to accept and expend $4,200,000 in grant funds from the Safe Accountable Flexible Efficient Transportation Equity Act: a Legacy for Users ($3,200,000), the Metropolitan Transportation Commission Regional Bicycle and Pedestrian Program Grant ($750,000), and the Association of Bay Area Governments ($250,000) for continued work on the Illinois Street Intermodal Bridge Project.

12/6/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

44. 051979 [International Day to end violence against sex workers]

Supervisor McGoldrick

Resolution proclaiming December 17th, 2005 as International Day to End Violence Against Sex Workers in San Francisco.

12/6/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

45. 051987 [Calling for the immediate incorporation of human rights curricula in primary and secondary schools and offering express support for the drafting of an International Convention on Human Rights]

Supervisors McGoldrick, Mirkarimi

Resolution calling for the immediate incorporation of human rights education into the curricula of primary and secondary schools in San Francisco and encouraging the teaching of human rights in schools worldwide and offering express support for the drafting of an International Convention on Human Rights for the new millennium.

12/6/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

46. 051988 **[Commending the 409 House at 409 Clayton Street]**
Supervisor Mirkarimi
Resolution commending the 409 House at 409 Clayton Street in recognition of its contributions to community activism in San Francisco.

12/6/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

47. 051989 **[Commending the Coordinators of the Thanksgiving Dinner for the Homeless and Needy]**
Supervisor Mirkarimi
Resolution commending the event coordinators of the Thanksgiving Dinner for the Homeless and Needy for organizing a successful holiday celebration and feast in the Western Addition.

12/6/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

48. 051990 **[Exclusive Negotiating Agreement for Development of the Old Mint]**
Supervisor Peskin
Resolution extending the expiration date of the Exclusive Negotiating Agreement between the City and the San Francisco Museum and Historical Society for the development of the Old Mint.

12/6/2005, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Question: Shall this Resolution be ADOPTED?

*Questions on the For Adoption Without Committee Reference Agenda:*_____

49. IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

OFF-AGENDA LEGISLATION

PROPOSED ORDINANCES

Proposed ordinances received from November 29, 2005 through December 5, 2005, for reference by President to appropriate committee on December 13, 2005.

051983 **[Changing the official sidewalk width - Turk Street]**
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1568 to change the official sidewalk width on the southerly side of Turk Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width change.
(Public Works Department)

12/5/2005, RECEIVED AND ASSIGNED to Land Use Committee.

051984 **[Changing the official sidewalk width - Market, Main, and Spear Streets]**
Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1567 to change the official sidewalk widths on the southerly side of Market Street, easterly side of Main Street, and the westerly side of Spear Street; making environmental findings and findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk widths changes.
(Public Works Department)

12/5/2005, RECEIVED AND ASSIGNED to Land Use Committee.

051985 **[Deletion of a street flower market location on Market Street at Fifth Street]**
Ordinance amending Public Works Code Article 5, Section 155 to delete the street flower market location on the south side of Market Street within 100 feet of the west line of 5th Street.
(Public Works Department)

12/5/2005, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 1/12/2006.

PROPOSED RESOLUTIONS

Proposed resolutions received from November 29, 2005 through December 5, 2005, for reference by President to appropriate committee on December 13, 2005.

051942 **[Amendment to Paratransit Broker Agreement]**

Resolution approving Amendment No. 6 to Agreement between the City and County of San Francisco and ATC/Vancom, Inc., to lease up to 20 accessible vans to the Contractor to be subleased to Lift Van/ADA Access service providers participating in the City's Paratransit Program.
(Municipal Transportation Agency)

11/30/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051944 **[Parking Regulations]**
Resolution enacting and rescinding parking regulations at various locations.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
285 Dorland Street, south side, between the driveways of #285 and #295 Dorland Street (establishes three motorcycle parking spaces in this 14.5 foot space).

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Folsom Street, west side, between Cesar Chavez Street and 26th Street.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Mississippi Street, west side, north of 25th Street to the terminus

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Green Street, south side, from Battery Street to 140 feet westerly; and,
Green Street, south side, from Sansome Street to 16 feet easterly.

PARKING METER AREA 3, 2-HOUR TIME LIMIT, 9AM TO 6PM, MONDAY THROUGH SATURDAY- ESTABLISH
Ellis Street, both sides, between Van Ness Avenue and Franklin Street

PARKING METER AREA 3, 2-HOUR TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY -ESTABLISH
Portola Drive, south side, between Fowler Avenue and Evelyn Way and between Teresita and O'Shaughnessy Boulevards

1-HOUR TIME LIMIT PARKING - RESCIND
PARKING METER AREA 1, 7AM TO 6PM, 2-HOUR, MONDAY THROUGH SATURDAY - ESTABLISH
Tehama Street, north side, between 1st Street and 140 feet west of 2nd Street (Unit and 100 block)
Clementina Street, south side, between 1st and 2nd Streets (Unit block)

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Market Street, south side, from Octavia Street off-ramp to Valencia Street

TOW-AWAY, NO PARKING ANYTIME - RESCIND
Market Street, south side, from 151 feet west of Valencia Street to McCoppin Street

TOW-AWAY, NO STOPPING, 7 AM TO 9 AM, EXCEPT SATURDAY – RESCIND
Market Street, south side, from Valencia Street to 151 feet westerly

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM TO 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Mars Street, both sides, between 17th and Corbett Streets (Unit block)

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM TO 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Divisadero Street, east side, between Haight and Page Streets (200 block)

STREET CLOSURE - ESTABLISH
Jack Kerouac Alley, between Grant and Columbus Avenue (permanent closure to automobile traffic).

SIDEWALK WIDTH - EXTENSION
Mission Street and 18th Street intersection, northwest and southeast corners (sidewalk would be widened by five feet by installing new corner bulbs)

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
McKinnon Avenue, north side, between Toland and Selby Streets.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Waterville Street terminus (200 block)

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
28th Street, both sides, between Church and Sanchez Streets (200 block)

TOW-AWAY, NO STOPPING, 6 AM TO 9 AM, MONDAY THROUGH FRIDAY - ESTABLISH
Trumbull Street, north side, from Congdon Street to 100 feet easterly.
(Parking and Traffic Department)
11/29/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3094.)

11/30/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051945 **[Traffic Regulations]**
Resolution enacting and rescinding traffic regulations on various streets.

MULTIPLE LEFT TURN LANES - RESCIND
Eddy Street, eastbound, requiring the center lane to turn right at Cyril Magnin Street, eliminating multiple left turn condition.

BICYCLE LANES - ESTABLISH
Market Street, south side, eastbound, from McCoppin Street to Valencia Street
(Parking and Traffic Department)
11/29/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3094.)

11/30/2005, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051948 **[Street Encroachment at 365 Main Street]**
Resolution granting revocable permission to Harrison 160, LLC, for a street encroachment comprised of two (2) existing previously installed vaults that encroach into the public sidewalk right-of-way, located at 365 Main Street (Block 3745, Lot 008) and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.
(Public Works Department)

11/30/2005, RECEIVED AND ASSIGNED to Land Use Committee.

051980 **[Unlitigated Claim against Pacific Gas and Electric Company]**
Resolution authorizing settlement of the unlitigated claim by the City and County of San Francisco against Pacific Gas and Electric Company for $615,222.78 for damages caused by power outage of December 20-21, 2003.
(City Attorney)

12/1/2005, RECEIVED AND ASSIGNED to Rules Committee.

051981 **[2006 Water Revenue Refunding Bonds Issuance]**

Resolution approving the issuance of not to exceed $125,000,000 aggregate principal amount of San Francisco water revenue refunding bonds to be issued by the Public Utilities Commission of the City and County of San Francisco; affirming covenants contained in the indenture pursuant to which the water revenue refunding bonds are issued; and authorizing the taking of appropriate actions in connection therewith; and related matters.
(Public Utilities Commission)

12/5/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051982 **[2006 Water Revenue Bonds Issuance]**

Resolution approving the issuance of not to exceed $525,000,000 aggregate principal amount of San Francisco water revenue bonds to be issued by the Public Utilities Commission of the City and County of San Francisco; affirming covenants contained in the indenture pursuant to which the water revenue bonds are issued; and authorizing the taking of appropriate actions in connection therewith; and related matters.
(Public Utilities Commission)

12/5/2005, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051986 **[Settlement of Claim - AMPCO System Parking]**

Resolution approving the settlement of the unlitigated claim for Parking Tax Refund filed by AMPCO System Parking against San Francisco for $93,134.80.
(City Attorney)

12/5/2005, RECEIVED AND ASSIGNED to Rules Committee.

052002 [Petitions and Communications]

Petitions and Communications received from November 29, 2005 through December 5, 2005, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on December 13, 2005.

From Public Library, submitting report on the possible use of Radio Frequency Identification technology in the public library. Copy: Each Supervisor (1)

From Planning Department, submitting response to the appeal of Categorical Exemption issued for 730 Great Highway. File 051852, Copy: Each Supervisor, City Attorney (2)

From Law Offices of Stephen Williams, submitting request for continuance of appeal of Categorical Exemption issued for 730 Great Highway. File 051852, Copy: Each Supervisor (3)

From Public Utilities Commission, submitting request for waiver of Chapter 12B and 12C of the Administrative Code for Sapag Griss SA. (4)

From concerned citizens, submitting opposition to the Planning Departments decision, affirming the 1135-1139 Green Street project is categorically exempt from environmental review. File 051858, Copy: Each Supervisor, City Attorney (5)

From Department of Elections, regarding candidate qualification statement fees for the 2006 June Primary and November General Elections. Copy: Each Supervisor (6)

From SF Labor Council, AFL-CIO, submitting support for retention of San Francisco maritime union jobs aboard the Alcatraz Ferry Service. File 051947, Copy: Each Supervisor (7)

From First Responder Foundation, submitting support for the appointment of retired Rear Admiral John Bitoff to the Police Commission. (8)

From Fire Department, submitting information requested regarding the fire at 395 Capp Street on September 15, 2005. (Reference No. 20050920-011) Copy: Supervisor Ammiano (9)

From Coalition for San Francisco Neighborhoods, urging the Board of Supervisors not to adopt proposed legislation regarding the Better Neighborhoods Planning and Implementation Process. File 050661, Copy: Each Supervisor (10)

From Delta Airlines, submitting notice of involuntarily furloughing 75 customer service workers at San Francisco International Airport beginning in February 2006. (11)

From Office of the Clerk of the Board, submitting Statement of Economic Interest for Jonathan Wright, Legislative Assistant to Supervisor Sandoval. (12)

From Municipal Transportation Agency, concerning the timeline on the installation of a stop sign at various intersections. (Reference No. 20051122-006) Copy: Supervisor Maxwell (13)

From SF Labor Council, AFL-CIO, regarding public hearing on aggressive union-busting tactics in San Francisco. File 051902 (14)

From Office of the Controller, concerning the concession audit of Bayport Concessions, LLC. (15)

From Office of the Controller, concerning the concession audit of Air France. (16)

From Office of the Controller, regarding source of funding for the Public Education Enrichment Fund for fiscal year 2006-07. Copy: Supervisors Ammiano, Mirkarimi, Elsbernd (17)

From Planning Department, regarding procedures the department uses for reviewing on-site parking requirements of businesses. (Reference No. 20051101-001) Copy: Supervisor Ma (18)

From Planning Department, submitting findings for proposed ordinance regarding condominium conversion subject to condo lottery. File 051637, Copy: Each Supervisor (19)

From Mayor's Office of Housing, submitting request to delay consideration of designation of 150 Otis Street, the Juvenile Court and Detention Home, as a landmark until the Citizens' Advisory Committee on the Surplus City Program has made a decision regarding this property. File 051521, Copy: Each Supervisor (20)

From Human Services Agency, submitting report regarding In-Home Support Services dental benefits. Copy: Supervisor Ma (21)

From Edith McMillan, submitting copy of letter sent to the Treasurer's Office regarding mistaken ownership of property. (22)

From Department of Building Inspection, submitting copy of letter sent to Francisco Da Costa regarding review of the building permit history for the project at 901 Bush Street. File 051751 (23)

From concerned citizens, submitting opposition to the Planning Departments decision, approving Conditional Use Application on property located at 80 West Portal Avenue. File 051784, Copy: Each Supervisor (24)

From concerned citizens, submitting support for proposed legislation regarding condominium conversion lottery based on seniority of participation. File 051462 (25)

From Police Commission, submitting Annual Report and Statement of Purpose for the Police Department, 2004. (26)

From concerned citizens, submitting support for enforcement of the leash law in the Golden Gate National Recreation Area. (27)

From Paul Porter, concerning the Grand Prix bicycle race in San Francisco. File 051564, Copy: Each Supervisor (28)

ADJOURNMENT

Legislation Pending Under the "30 Day Rule"

These items may not be heard by Committee until the date in the right hand column.

As Revised

December 8, 2005

Rule 5.40 provides that when an ordinance or resolution is introduced which would create or revise major city policy, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply urge action to be taken.

Ordinance amending SF Administrative Code regulating deemed approved off-sale alcohol uses and establishing an annual fee	051792	Land Use Committee	Supervisors Maxwell, Dufty, Peskin, Ma. Mirkarimi	11/15/05	12/16/05
Ordinance amending SF Administrative Code requiring City Departments to submit a bill within 30 days to private parties for services	051901	Government Audit and Oversight Committee	Supervisor Alioto-Pier	11/22/05	12/22/05
Ordinance amending SF Administrative Code changing the Minimum Compensation Ordinance	051907	Budget & Finance Committee	Supervisors Ammiano, McGoldrick	11/22/05	12/22/05
Ordinance amending SF Administrative Code changing requirements to the Health Care Accountability Ordinance	051908	Budget & Finance Committee	Supervisors Ammiano, McGoldrick	11/22/05	12/22/05
Ordinance amending SF Administrative Code increasing liquidated damages and civil penalty provisions for violations of the First Source Hiring Program	051916	Budget & Finance Committee	Supervisor Mirkarimi	11/22/05	12/22/05
Ordinance amending SF Administrative Code requiring employers operating within San Francisco to make health expenditures on behalf of employees	051919	Budget & Finance Committee	Supervisor Ammiano	11/22/05	12/22/05

Ordinance amending SF Administrative Code establishing maximum work hours for the General Assistance Programs	051924	Budget & Finance Committee	Supervisors McGoldrick, Ammiano	11/22/05	12/22/05
Ordinance amending SF Administrative Code to define the properties eligible to apply for a Mills Act Contract	051954	Budget & Finance Committee	Supervisor Alioto-Pier	12/6/05	1/6/06
Ordinance amending SF Police Code by prohibiting taxicab permit holders	051956	Government & Audits and Oversight Committee	Supervisor Peskin	12/6/05	1/6/06
Ordinance amending SF Administrative Code to reduce number of members on the Asthma Task Force	051962	Rules Committee	Supervisor Maxwell	12/6/05	1/6/06

BOARD of SUPERVISORS

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NOTICE OR CANCELED MEETINGS

Board of Supervisors

December 20, 2005, December 27, 2005 and January 3, 2006

NOTICE IS HEREBY GIVEN that the regularly scheduled meetings of the San Francisco Board of Supervisors for December 20, 2005, December 27, 2005 and January 3, 2006 have been canceled.

NOTICE IS HERBY GIVEN that the next regularly scheduled Board of Supervisors meeting will be on Tuesday, January 10, 2006 at 2:00 p.m. in the Legislative Chamber, Room 250, 1 Dr. Carlton B. Goodlett Place.

Gloria L. Young
Clerk of the Board

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